

**WORK SESSION:** A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be to answer any questions the City Council may have on agenda items. The public is welcome to attend.

## **FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA**

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, August 2, 2016, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

*Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.*

The agenda for the meeting shall be as follows:

### **CALL TO ORDER:**

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

### **PRESENTATIONS:**

7:05 Festival Days Follow-up

7:15 Tri-City Home and Garden Show Recognition

### **PUBLIC HEARINGS:**

7:25 600 North Street Vacation

7:35 Oakridge Farms Plat Amendment

### **NEW BUSINESS:**

7:45 Street Cross Section Modification Proposal for Residences at Farmington Hills Road

7:55 Chestnut Farms Phases IV and V Rezone Application

### **SUMMARY ACTION:**

8:05 Minute Motion Approving Summary Action List

1. Silver Hollow Open Space Waiver
2. Davis Creek Subdivision Open Space Waiver
3. Approval of Minutes from July 19, 2016

**GOVERNING BODY REPORTS:**

8:10 City Manager Report

8:15 Mayor Talbot & City Council Reports

1. Report on Meeting with Brad Wilson

**ADJOURN**

**CLOSED SESSION**

Minute motion adjourning to closed session for purposes of litigation.

DATED this 28th day of July, 2016.

**FARMINGTON CITY CORPORATION**

By: Holly Gadd  
Holly Gadd, City Recorder

**\*PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

*In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.*



## CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

### **S U B J E C T: Roll Call (Opening Comments/Invocation) Pledge of Allegiance**

It is requested that City Council Member Brigham Mellor give the invocation to the meeting and it is requested that Mayor Jim Talbot lead the audience in the Pledge of Allegiance.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



## CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

**S U B J E C T:** Festival Days Follow-up

### ACTION TO BE CONSIDERED:

None

### GENERAL INFORMATION:

Neil Miller and Stefanie Gallagher will be making the presentations.

Items being presented:

1. Thank Kristen Harbertson for her service.
2. Introduce new Festival Days Chair.
3. Present check to Huntsman Cancer Foundation.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

**S U B J E C T: Tri-City Home and Garden Show Recognition**

**ACTION TO BE CONSIDERED:**

None

**GENERAL INFORMATION:**

Karen Rigby will be making this presentation.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



## CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

### **PUBLIC HEARING: 600 North Street Vacation**

### **ACTION TO BE CONSIDERED:**

1. Hold the public hearing.
2. Move that the City Council approve the enclosed ordinance and vacate approximately 18 feet of the southern part of 600 North Street ROW the entire continuous length of said street along parcels 070200040 and 070200039 as described in Exhibit "A" of the enclosed Enabling Ordinance, subject to all applicable Farmington City ordinances and standards, including findings 1-3.

### **GENERAL INFORMATION:**

See enclosed staff report prepared by Eric Anderson.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.





# FARMINGTON CITY

H. JAMES TALBOT  
MAYOR

BRETT ANDERSON  
DOUG ANDERSON  
JOHN BILTON  
BRIGHAM MELLOR  
CORY RITZ  
CITY COUNCIL

DAVE MILLHEIM  
CITY MANAGER

## City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson, Associate City Planner

Date: August 2, 2016

SUBJECT: **600 NORTH STREET VACATION**

### RECOMMENDATION

1. Hold a public hearing.
2. Move that the City Council approve the enclosed ordinance and vacate approximately 18 feet of the southern part of 600 North Street R.O.W. the entire continuous length of said street along parcels 070200040 and 070200039 as described in Exhibit "A" of the enclosed Enabling Ordinance, subject to all applicable Farmington City ordinances and standards.

### Findings for Approval:

1. The requested street vacation is consistent with other vacations on the south side of 600 North to the west.
2. Because 600 North is a local road, a 56' right-of-way is all that is required, however, the requested street vacation would still provide more than enough right-of-way (66') in the future if the street were ever widened.
3. The sidewalk, curb, gutter, and park strip improvements were required as part of the Dry Well Estates metes and bounds subdivision, and have been installed and inspected to meet City standards.

### BACKGROUND

On September 17, 2015 the Planning Commission approved a metes and bounds subdivision for the Dry Well Estates located at 54 East 600 North. As part of that approval, the applicant also submitted an application for the street vacation of 18' of R.O.W. on the southern portion of 600 North. However, after the subdivision approval, staff neglected to pursue the street vacation. Recently, the applicant contacted us to check on the progress, and we realized it had not been completed. Staff is rectifying that now. The R.O.W. vacation will match the existing width to the west and the



remaining R.O.W. will still be approximately 66' and leave more than enough right-of-way for any future, as 66' is the R.O.W. width for a minor collector and 600 North is a local road and only requires 56' of R.O.W.

Supplemental Information

1. Vicinity Map
2. Metes and Bounds Subdivision
3. Enabling Ordinance

Respectfully Submitted



Eric Anderson  
City Planner

Concur



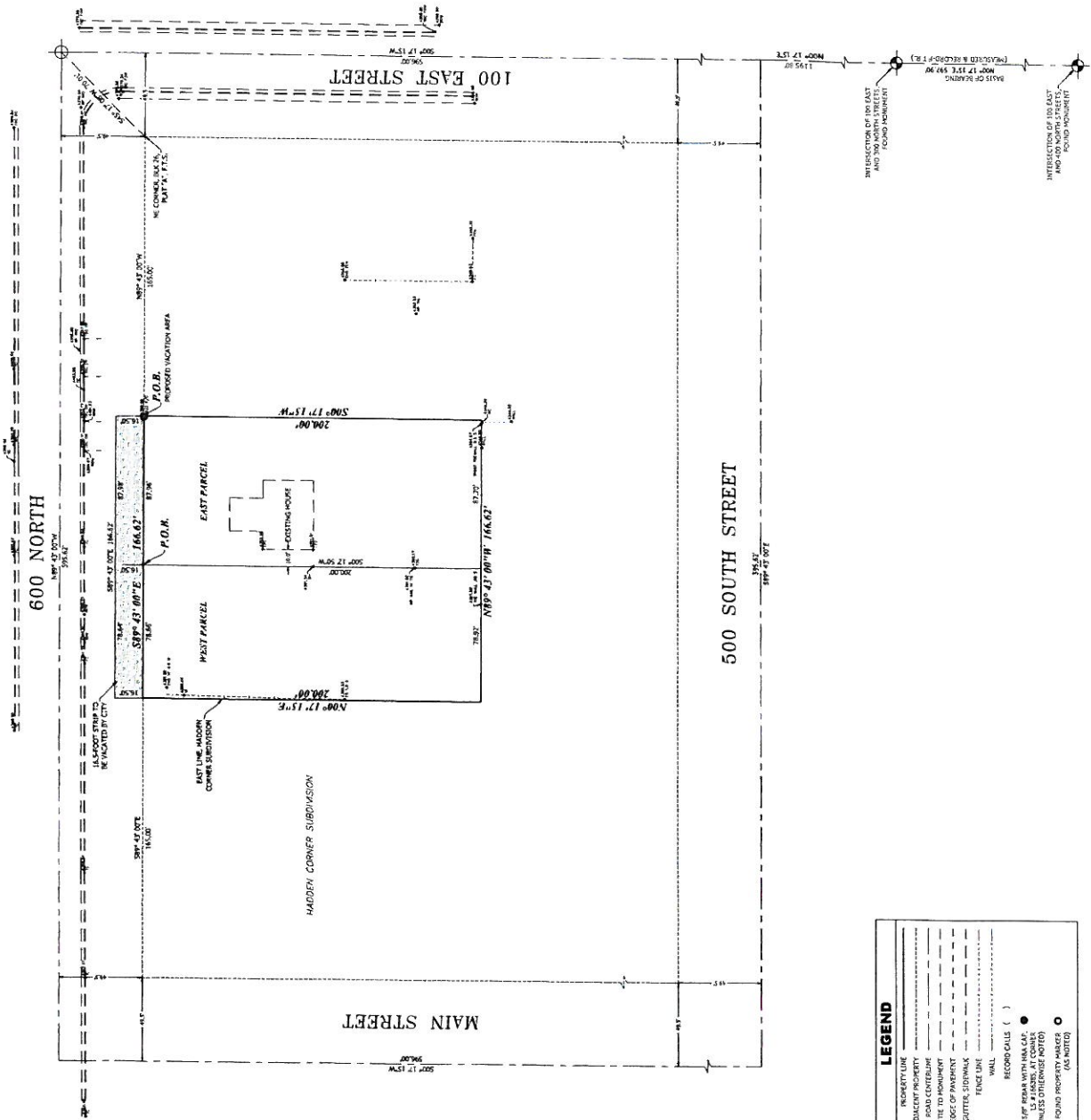
Dave Millheim  
City Manager



# Farmington City







# CERTIFICATE

I, VON R. HILL, A PROFESSIONAL LAND SURVEYOR ACCORDING TO THE LAWS OF THE STATE OF UTAH, DO  
CERTIFY THAT I HAVE SURVEYED THE PARCEL OF GROUND SHOWN HEREON ACCORDING TO UTAH STATE  
CODE 12-23-17

## DEED DESCRIPTION

STEVE L. FLOCKEN AND MARCI FLOCKEN, HUSBAND AND WIFE, GRANTOR, HERBY CONVEY AND WARRANT TO JEFFREY M. JOHNSON AND EMMALEE J. JOHNSON, HUSBAND AND WIFE AS JOINT TENANTS GRANTEE FOR THE SUM OF TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION THE FOLLOWING TRACTS OF LAND IN DAVIS COUNTY, STATE OF UTAH DESCRIBED AS FOLLOWS:

THE LAND REFERRED TO HERFIN IS SITUATED IN THE COUNTY OF DAVIS, STATE OF UTAH AND IS DESCRIBED AS FOLLOWS:

Also

COMMENCING 15 RODS WEST AND 295 FEET NORTH OF THE SOUTHERLY CORNER OF THE FARMINGTON TOWNSHIP SURVEY IN THE CITY OF HARTINGTON AND RUNNING THENCE NORTH 200.0 FEET, THENCE WEST 50.0 FEET, THENCE SOUTH 200.0 FEET, THENCE EAST 5.0 FEET TO THE BEGINNING.

## NEW DESCRIPTIONS

**WEST PARCEL**

BEGINNING AT A POINT NORTH 89°00'00"E WEST 232.94 FEET ALONG THE BLOCK LINE FROM THE NORTHEAST CORNER OF BLOCK 36, 25-54-25-100-000, DISTRICT 10, COUNTY OF UTAH, AND RUNNING

NORTH 89°00'00"E WEST 78.92 FEET TO THE EAST LINE OF HADSON CANYON LIRRIGATION, THENCE NORTH 71°15'42" EAST 200.00 FEET ALONG SAID LINE TO THE NORTH LINE OF SAID BLOCK 36, THENCE SOUTH 84°19'00"E EAST 78.44 FEET ALONG SAID LINE TO THE POINT OF BEGINNING, CONTAINING 0.361 ACRES.

EAST PARCELS

BEGINNING AT A POINT NORTH89°47'00" WEST 252.36 FEET ALONG THE BLOCK LINE FROM THE NORTHEAST CORNER OF BLOCK 26, PLAT 4, FARMING 17 TOWNSHIP SURVEY, DAVIS COUNTY, UTAH AND RUNNING THENCE SOUTH43°07'00" EAST 87.46 FEET TO A POINT NORTH89°47'00" WEST 145.00 FEET FROM THE NORTHEAST CORNER OF SAID BLOCK 26, THENCE SOUTH17°17'15" WEST 200.00 FEET, THENCE NORTH89°43'00" WEST 87.79 FEET, THENCE NORTH9°12'50" WEST 200.00 FEET TO THE NORTH LINE OF SAID BLOCK 26 AND THE POINT OF BEGINNING, CONTAINING 0.403 ACRES.

PROPOSED ROAD VACATION AREA

BEGINNING AT A POINT WHICH IS NORTH $78^{\circ}43'00''$  WEST 165.00 FEET FROM THE NORTH-EAST CORNER OF BLOCK 26, PLAT 4, FASHINGTON TOWNSHIP SURVEY, DAVIS COUNTY, UTAH AND RUNNING THENCE NORTH $78^{\circ}43'00''$  WEST 164.82 FEET ALONG THE BLOCK LINE TO THE EAST LINE OF HADDEN CORNER SUBDIVISION; THENCE NORTH $17^{\circ}15'30''$  EAST 18.30 FEET; THENCE SOUTH $70^{\circ}00'45''$  EAST 146.63 FEET; THENCE SOUTH $17^{\circ}15'30''$  WEST 16.50 FEET TO A POINT OF BEGINNING.

## WASTEWATER TREATMENT PLANT INCLUDING BOD AREA

BEGINNING AT A POINT NORTH<sup>14</sup>45°00' WEST 252.94 FEET ALONG THE BLOCK LINE FROM THE NORTHEAST CORNER OF BLOCK 26, PLAT 4, FARMINGTON TOWNSITE SURVEY, DAVIS COUNTY, UTAH AND RUNNING THENCE SOUTH<sup>15</sup>10°00' WEST 200.00 FEET, THENCE NORTH<sup>16</sup>45°00' WEST 78.82 FEET TO THE EAST LINE OF HADSON CONES SUBDIVISION, THENCE NORTH<sup>17</sup>17°15' EAST 216.50 FEET, THENCE SOUTH<sup>18</sup>74°00' EAST 78.84 FEET, THENCE SOUTH<sup>19</sup>12°30' WEST 16.50 FEET TO THE POINT OF BEGINNING.

## EAST PARCEL INCLUDING ROAD AREA

BEGINNING AT A POINT NORTH $94^{\circ}43'00''$  WEST 232.46 FEET ALONG THE BLOCK LINE FROM THE NORTHEAST CORNER OF BLOCK 26, PLAT A, FARMINGTON TRACT, SEVEREY, DAVIS COUNTY, UTAH AND RUNNING THENCE NORTH $12^{\circ}50'42''$  EAST 16.50 FEET, THENCE SOUTHER $84^{\circ}43'00''$  EAST 87.96 FEET, THENCE NORTH $17^{\circ}15'26''$  WEST 16.50 FEET TO A POINT NORTH $43^{\circ}00''$  WEST 165.00 FEET FROM THE NORTHEAST CORNER OF BLOCK 26, THENCE SOUTHER $43^{\circ}00''$  WEST 200.00 FEET, THENCE NORTH $84^{\circ}43'00''$  WEST 87.76 FEET, THENCE NORTH $12^{\circ}50'42''$  EAST 200.00 FEET TO THE POINT OF BEGINNING.

**NARRATIVE**

THE PURPOSE OF THE SURVEY WAS TO MARK THE PROPERTY CORNERS. THE BASIS OF BEARING WAS ESTABLISHED BETWEEN THE MONUMENTS SHOWN

[illegible]

181 North 200 West, Suite #4  
Bountiful, Utah 84010  
Phone 801-298-2236  
Fax 801-298-5983



**JEFF JOHNSON**

54 EAST 600 NORTH  
LOCATED IN THE SW 1/4 OF SECTION 18, T 3N., R 1E., S 7 B 3M  
FARMINGTON CITY, DAVIS COUNTY, UTAH



**FARMINGTON, UTAH**

**ORDINANCE NO. 2016 -**

**AN ORDINANCE VACATING A CERTAIN PORTION OF  
THE SOUTH SIDE OF THE 600 NORTH RIGHT OF WAY  
AS IT ABUTS THE DRY WELL ESTATES SUBDIVISION  
AT APPROXIMATELY 54 EAST WITHIN FARMINGTON  
CITY, STATE OF UTAH.**

**WHEREAS**, the governing body of Farmington City approved a metes and bounds subdivision for the Dry Well Estates Subdivision on September 17, 2015, and that subdivision showed a portion of the right-of-way being vacated; and

**WHEREAS**, said request is for the vacation of a portion of the 600 North public right-of-way approximately one-hundred sixty six feet (166') in length by eighteen feet (18') in width; and

**WHEREAS**, the governing body of Farmington City has determined that there is good cause for the requested vacation and it will not be detrimental to the general interest of the public to grant the same; and

**WHEREAS**, the Farmington City Council has caused all required public notices to be given, and has held all appropriate public hearings regarding such vacation; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
FARMINGTON CITY, STATE OF UTAH:**

**Section 1. Street Vacation.** The City Council of Farmington City hereby declares that a portion of the south side of the 600 North Street right-of-way approximately one-hundred sixty six feet (166') in length by eighteen feet (18') in width as it abuts the Dry Well Estates Subdivision as more particularly described in Exhibit "A," attached hereto and incorporated herein, is hereby vacated.

**Section 2. Rights not Affected.** The action of the City Council vacating a portion of the public right-of-way provided herein shall operate as a relinquishment of the City's fee therein, provided that nothing herein shall be construed to vacate, impair or otherwise affect any real property interest, easement, right-of-way, holding or franchise right therein of any public utility or other property owner, governmental or private.

**Section 3. Recorded.** A certified copy of this Ordinance shall be recorded in the office of the Davis County Recorder, State of Utah, and the necessary changes made on the official plats and records of the County to accomplish the purpose thereof.

**Section 4. Effective Date.** This ordinance shall become effective upon completion of all necessary improvements (curb, gutter, park strip, and sidewalk) on said frontage of 600 North satisfactory to the City.

**PASSED AND ADOPTED** by the City Council of Farmington City, State of Utah, on this 2<sup>nd</sup> day of August, 2016.

**FARMINGTON CITY**

\_\_\_\_\_  
H. James Talbot, Mayor

**ATTEST:**

\_\_\_\_\_  
Holly Gadd, City Recorder



**EXHIBIT "A"**

BEGINNING AT A POINT WHICH IS NORTH $89^{\circ}43'00''$  WEST 165.00 FEET FROM THE NORTHEAST CORNER BLOCK 26, PLAT A, FARMINGTON TOWNSITE SURVEY, DAVIS COUNTY, UTAH AND RUNNING THENCE NORTH $89^{\circ}43'00''$  WEST 166.62 FEET ALONG THE BLOCK LINE TO THE EAST LINE OF HADDEN CORNER SUBDIVISION; THENCE NORTH $0^{\circ}17'15''$  EAST 16.50 FEET; THENCE SOUTH $89^{\circ}43'00''$  EAST 166.62 FEET; THENCE SOUTH $0^{\circ}17'15''$  WEST 16.50 FEET TO THE POINT OF BEGINNING.



## CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

### **PUBLIC HEARING: Oakridge Farms Plat Amendment**

### **ACTION TO BE CONSIDERED:**

1. Hold the public hearing.
2. Move that the City Council approve the Jeppson/Oakridge Farms Subdivision Plat Amendment as set forth herein.

### **GENERAL INFORMATION:**

See enclosed staff report prepared by Eric Anderson.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.





# FARMINGTON CITY

H. JAMES TALBOT  
MAYOR

BRETT ANDERSON  
DOUG ANDERSON  
JOHN BILTON  
BRIGHAM MELLOR  
CORY RITZ  
CITY COUNCIL

DAVE MILLHEIM  
CITY MANAGER

## City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson, Associate City Planner

Date: August 2, 2016

SUBJECT: **OAKRIDGE FARMS PLAT AMENDMENT**

### RECOMMENDATION

1. Hold a public hearing (if necessary or if desired).
2. Move that the City Council approve the Jeppson/Oakridge Farms Subdivision Plat Amendment as set forth herein.

### BACKGROUND

Jeppson/Oakridge Farms Plat Amendment (S-15-16). John Rick Jeppson owns Lot 36 in Oakridge Farms Subdivision and an unplatted parcel (Parcel ID Number 080330086) that shares a border with the proposed Silver Hollow Conservation Subdivision being developed by Ivory Homes on the Jerrod Jeppson property. Ivory Homes and John Rick Jeppson have been in discussion about cleaning up their shared boundary and moving the lot line to the center of Haight Creek, as it currently sits. However, because this lot line adjustment will also be changing the boundary of the Oakridge Farms Subdivision, staff feels that a plat amendment is the most prudent means forward.

As required by ordinance, a 10-day notice of protestation is mailed to every property owner within the subdivision plat to give them time to voice concerns over the proposal. If a protest is received, then the item is required to be a public hearing. On the other hand, if in that 10-day period, the City Recorder does not receive any protests, the plat amendment does not need to be a public hearing. As a matter of custom, the Council usually holds a public hearing regardless, but that is up to the Council's discretion.

### Supplemental Information

1. Vicinity Map
2. Oakridge Farms Subdivision Plat

3. Proposed Oakridge Farms Plat Amendment
4. Application Letter

Respectfully Submitted



Eric Anderson  
City Planner

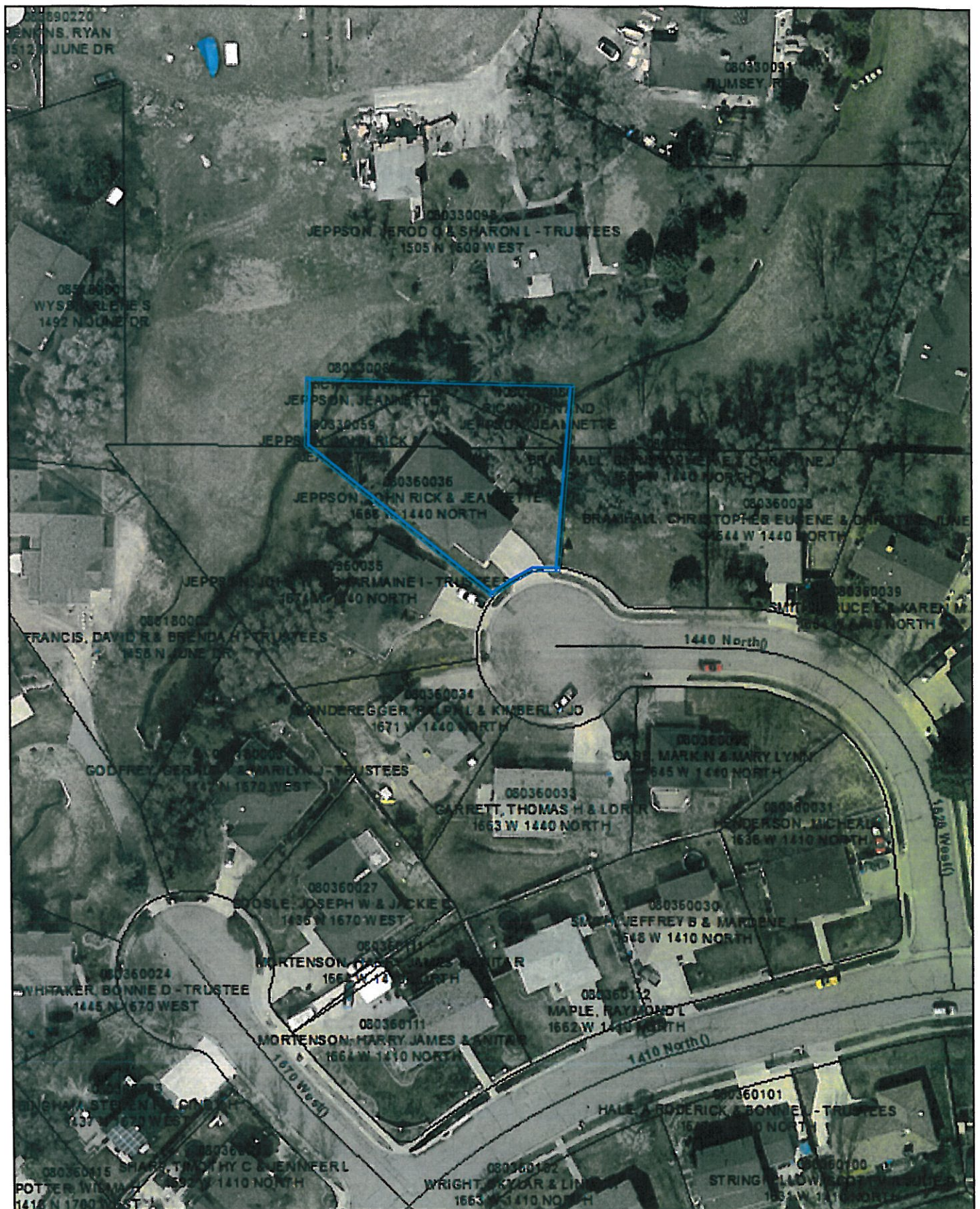
Concur



Dave Millheim  
City Manager



# Farmington City











S-15-16

J Rick and Jeannette Jeppson  
1668 West 1440 North  
Farmington, Utah 84025

Oakridge Farms Lot 36

07/17/2016

Dear Farmington City,

We have been working with Ivory Homes in adjusting lot boundaries in relation to a ravine with a creek that is between us and Ivory's new development north of the Oakridge Farms subdivision. We have agreed to give and take footage to create a boundary that makes more sense.

Ivory has been working with you on this project. We agree with what they have done and at their suggestion we are requesting a plat adjustment. Attached is a copy of the plat that Ivory has provided.

Thank you for your consideration.

Sincerely,

Handwritten signature of Jeannette Jeppson in cursive script.



## CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

**S U B J E C T: Street Cross Section Modification Proposal for Residences at  
Farmington Hills Road**

### **ACTION TO BE CONSIDERED:**

As per Section 12-8-100 of the Subdivision Ordinance, move that the City Council modify the Residences at Farmington Hills street cross-section ROW from 56' to 50' as proposed on the attached drawing and the following condition: 350 east must meet the modified street cross-section of 50' the entirety of its length, including Lots 22 and 23.

### **GENERAL INFORMATION:**

See enclosed staff report prepared by Eric Anderson.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.





# FARMINGTON CITY

H. JAMES TALBOT  
MAYOR

BRETT ANDERSON  
DOUG ANDERSON  
JOHN BILTON  
BRIGHAM MELLOR  
CORY RITZ  
CITY COUNCIL

DAVE MILLHEIM  
CITY MANAGER

## City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson, Associate City Planner

Date: August 2, 2016

SUBJECT: **STREET CROSS SECTION MODIFICATION PROPOSAL FOR RESIDENCES AT FARMINGTON HILLS ROAD**

### RECOMMENDATION

As per Section 12-8-100 of the Subdivision Ordinance, move that the City Council modify the Residences at Farmington Hills street cross-section ROW from 56' to 50' as proposed on the attached drawing and the following condition: 350 East must meet the modified street cross-section of 50' the entirety of its length, including Lots 22 and 23.

### BACKGROUND

On March 10, 2016 the Planning Commission approved the Residences at Farmington Hills preliminary plat. On the approved plat, the applicant showed a modified right-of-way that was 50' instead of the standard 56' required by the City. In spite of receiving preliminary plat approval, the applicant must also obtain City Council approval for the street cross-section modification.

The proposed modification would include a 4' sidewalk and 4.5' park-strip on the east side of the road, and an 8.5' unimproved shoulder on the west. The applicant is proposing the modification because of the amount of cut-and-fill that would be required to do the full improvements on both sides of the road. Staff feels that including sidewalk and park-strip on both sides of the road, and space for sidewalk and park-strip within the western portion of the right-of-way is a good compromise.

In the unlikely event that the west side of the street is ever improved, the right-of-way would already be in place to accommodate a 4' sidewalk and 4.5' park strip. However, the preliminary plat does not show sidewalk on the east side of the road along the frontages of Lots 22 and 23. Staff is suggesting that the applicant use the modified street cross-section the entire length of 350 East.

### Supplemental Information

1. Vicinity Map
2. Preliminary Plat
3. Proposed Street Cross-Section Modification
4. Section 12-8-100 of the Subdivision Ordinance



Respectfully Submitted



Eric Anderson  
City Planner

Concur



Dave Millheim  
City Manager

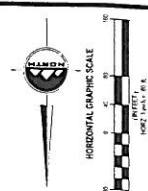
# Farmington City







SITE IMPROVEMENT TABLE	
TYPE	AREA
TOTAL AREA (S.F.)	1,824,191
TOTAL AREA (ACRES)	42,037
TOTAL RESIDENTIAL LOTS	22
HAZARDOUS (LOT SIZE (S.F.))	22,684
LOT (S.F.)	81,548
LOTS PER ACRE	1.93
NAME OF LOT AREA (ACRES)	24.87

[illegible]

### NOTES

1. BOOSTER PAYS INITIALLY FOR TAILORING LETTER, SAYS MAILMAN HAS PROBLEMS WITH LOCAL MAIL OFFICE. MAILMAN SAYS HE HAS PROBLEM WITH LOCAL MAIL OFFICE. MAILMAN SAYS HE HAS PROBLEM WITH LOCAL MAIL OFFICE.
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11-17-15  
[Signature]  
[Stamp]

1. The first step is to identify the problem. In this case, the problem is that the system is not working properly.

2. The second step is to gather information. This includes checking the logs, looking at the configuration files, and talking to the users.

3. The third step is to analyze the information. This involves looking for patterns, identifying the root cause, and determining the scope of the problem.

4. The fourth step is to develop a solution. This may involve writing code, changing configuration, or updating hardware.

5. The fifth step is to test the solution. This involves running the system and checking to see if the problem has been resolved.

6. The sixth step is to implement the solution. This involves deploying the changes to the production environment.

7. The seventh step is to monitor the system. This involves keeping an eye on the logs and performance metrics to make sure everything is working properly.

8. The eighth step is to document the solution. This involves writing a report that describes the problem, the solution, and the steps that were taken.

9. The ninth step is to communicate the solution. This involves telling the users that the problem has been resolved and that the system is back online.

10. The tenth step is to evaluate the solution. This involves looking back at the problem and the solution to see if there are any lessons learned.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

2. The second step is to gather relevant information and data. This can be done through research, consultation with experts, or by analyzing existing data sets.

3. The third step is to develop a hypothesis or a proposed solution. This is based on the information gathered in the previous step and is often a tentative conclusion that needs to be tested.

4. The fourth step is to test the hypothesis or solution. This involves conducting experiments, simulations, or other forms of analysis to see if the proposed solution works as intended.

5. The fifth step is to evaluate the results of the test. This involves comparing the results with the expected outcomes and determining if the hypothesis was supported or refuted.

6. The final step is to draw conclusions and communicate the findings. This involves summarizing the results of the test and presenting them in a clear and concise manner.

1. The first step is to identify the problem. In this case, the problem is that the company is not meeting its sales targets.

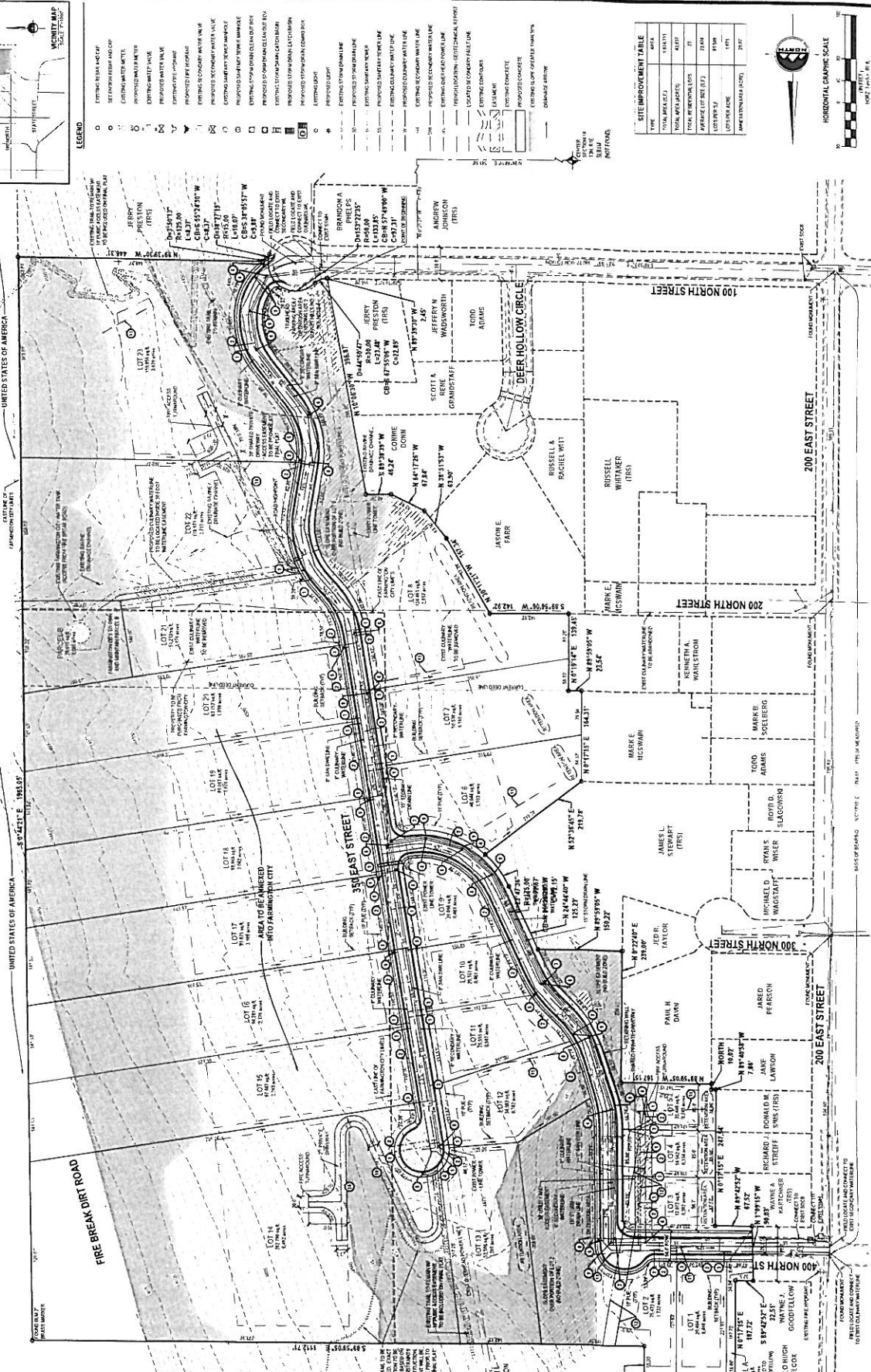
2. The second step is to analyze the problem. This involves identifying the causes of the problem. In this case, the causes are that the company is not marketing its products effectively and that it is not offering competitive prices.

3. The third step is to develop a solution. This involves identifying the actions that need to be taken to solve the problem. In this case, the actions are to increase marketing efforts and to offer competitive prices.

4. The fourth step is to implement the solution. This involves putting the actions into practice. In this case, the actions are to increase marketing efforts and to offer competitive prices.


5. The fifth step is to evaluate the results. This involves measuring the success of the solution. In this case, the success is measured by whether the company is meeting its sales targets.

**CALL BILLY JAMES  
OR LORNA MCGILL AT LEAST 48  
HOURS PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.**



**NOTES**

1. ALL SHOWN SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE UTAH SUBDIVISION MAP ACT, UTAH CODE ANNOTATED, AND THE UTAH SUBDIVISION MAP ACT RULES.
2. HADLEY ENGINEERS HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE UTAH SUBDIVISION MAP ACT AND RULES.
3. HADLEY ENGINEERS HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE UTAH SUBDIVISION MAP ACT AND RULES.
4. ALL EXISTING UTILITIES SHOWN ON THIS MAP ARE BASED ON THE LATEST AVAILABLE RECORDS.



**NSIGN**  
THE STANDARD IN ENGINEERING

**LAYTON**  
1455 W. 1000th Rd. Ste. 204  
Layton, UT 84040  
Phone: 801.541.1100

**SALT LAKE CITY**  
1455 W. 1000th Rd. Ste. 204  
Layton, UT 84040  
Phone: 801.541.1100

**TOOELE**  
1455 W. 1000th Rd. Ste. 204  
Layton, UT 84040  
Phone: 801.541.1100

**SPRINGDALE**  
1455 W. 1000th Rd. Ste. 204  
Layton, UT 84040  
Phone: 801.541.1100

**RICHFIELD**  
1455 W. 1000th Rd. Ste. 204  
Layton, UT 84040  
Phone: 801.541.1100

**WWW.ENGINERING.COM**

# RESIDENCES AT FARMINGTON HILLS SUBDIVISION 400 NORTH TO 100 NORTH FARMINGTON CITY, UTAH

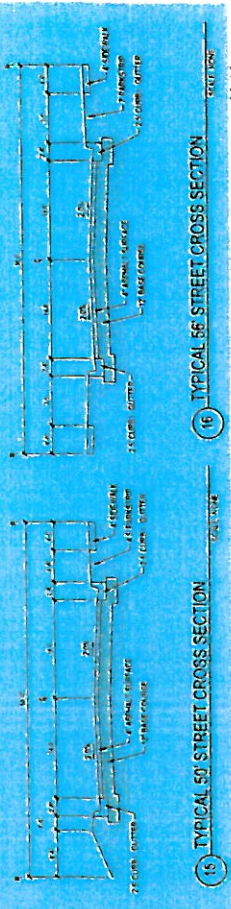
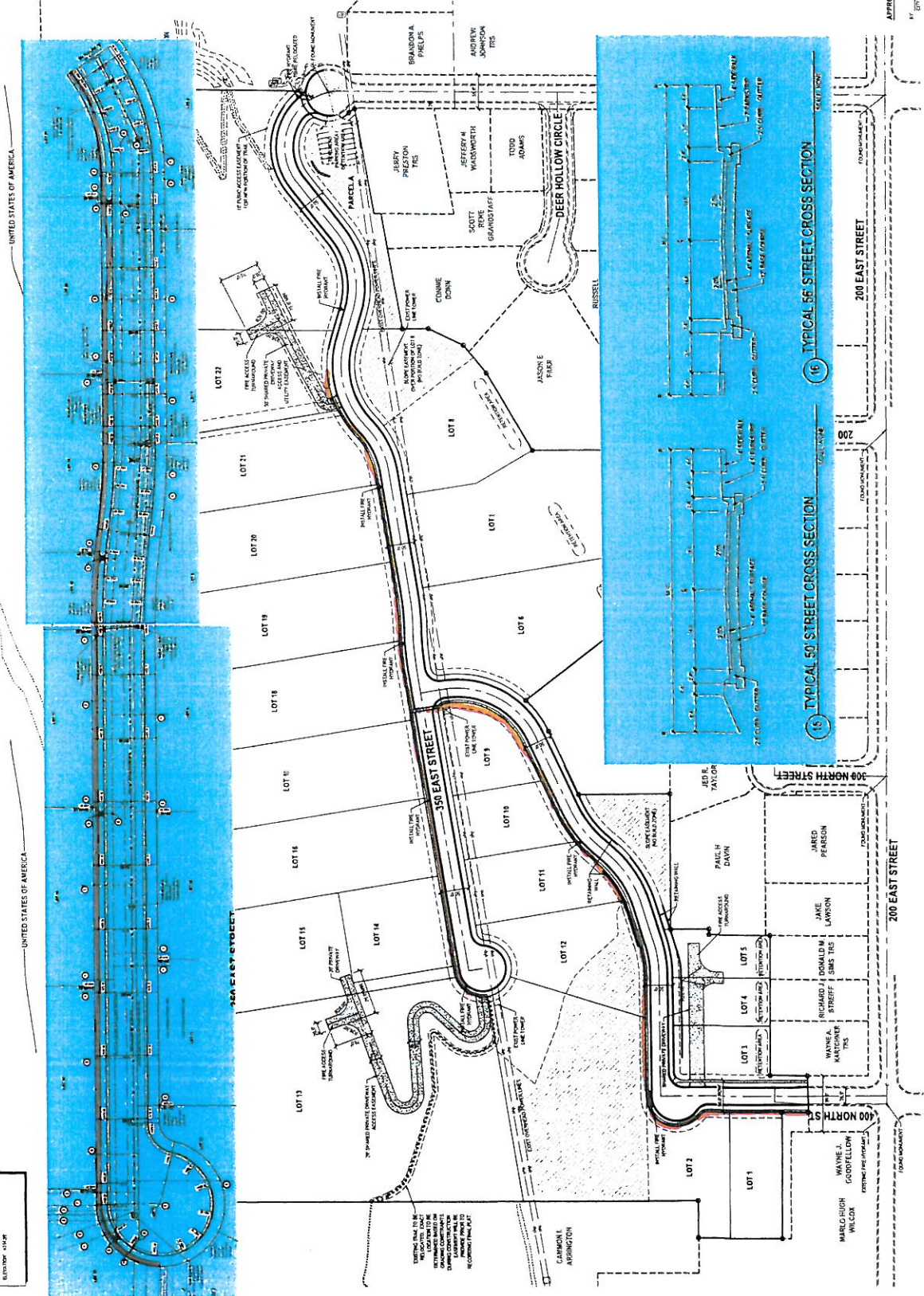


**SITE PLAN**

**C-100**

APPROVED FOR CONSTRUCTION

DATE: \_\_\_\_\_





**811**  
CALL BEFORE YOU DIG

**ENGINEER**  
HADLEY ENGINEERS, INC.  
1455 W. 1000th Rd. Ste. 204  
Layton, UT 84040  
Phone: 801.541.1100



(1) A payback agreement entered into between Farmington City and the developer who installs the improvements or facilities for water, storm sewer or roads is authorized, where the improvements installed are intended to extend, expand or improve the City's water system, storm sewers or roads beyond the improvements required to service or benefit the subdivision or development proposed by the developer. Such payback agreements shall be for project improvements and not system improvements as defined in the Utah Impact Fees Act. The payback agreement is not mandatory, but may be used at the option of the City Manager, upon approval of the payback agreement by the City Council. The amount of the payback to the developer shall be determined by the City Council after receiving a recommendation from the City Engineer after considering the improvements or facilities required or benefitting developer's development, and those facilities or improvements that are specifically oversized to provide for future development of adjacent projects.

(2) The City shall, in all cases, be immune and not liable for any payments to the developer if the payback agreement is determined to be unenforceable. The payback agreement shall not confer a benefit upon any third party and shall be in a form approved by the City Council. The responsibility for payment of the required improvements or facilities shall rest entirely with the developer. The City shall not be responsible for collection of amounts from third parties.

#### **12-8-100 Administrative Review for Public Street Standards Not Listed**

(1) The City Council, after receiving a recommendation from the Planning Commission, may review and approve street standards not listed in the Farmington City Development Standards but shall consider only modifications and alternatives to Standard Street Intersections, Typical Cul-de-sac, and Standard Roadway Sections. The Planning Commission shall not consider changes to remaining standards including, but not limited to, Submittals, Quality Control, Site Preparation, Grading, Excavating, Backfilling and Compaction, Base Course, Asphalt/ Concrete, Curbs, Gutters, Drive Aprons, and Walks, Slurry Sealing, Restoration of Existing Improvements, Storm Drainage Systems, Boundary Markers and Survey Monuments, Geo-textiles, and Concrete Reinforcement. Notwithstanding the foregoing, amendments to the Farmington City Development Standards may be approved from time to time by resolution of the City Council.

(2) An application requesting a street standard not listed shall be filed with the City Planner. The application shall include a detailed description of the proposed standard and other such information as may be required.

(3) The City Planner, City Engineer, City Public Works Director, and any other City official as required, shall conduct such investigations as are deemed necessary to compare the proposed standard with sound customary engineering and planning practices. Thereafter a recommendation shall be provided to the Planning Commission.

(4) The final determination by the City Council and all information pertaining to it shall be assigned a file number classifying it as an administrative determination and shall become a permanent public record in the office of the Community Development Department.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21  
6-8-101 (now covered under 12-8-010) Amended, 4-21-93, Ord. 93-18  
6-8-102 (now 12-8-020(1)) Amended, 2-15-95, Ord. 95-05  
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24  
12-8-090 Enacted, 5-17-00, Ord. 2000-21  
12-8-100 Enacted, 10-04-00, Ord. 2000-39



CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

**S U B J E C T: Chestnut Farms Phases IV and V Rezone Application**

**ACTION TO BE CONSIDERED:**

See staff report for recommendation.

**GENERAL INFORMATION:**

See enclosed staff report prepared by Eric Anderson.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.





# FARMINGTON CITY

H. JAMES TALBOT  
MAYOR

BRETT ANDERSON  
DOUG ANDERSON  
JOHN BILTON  
BRIGHAM MELLOR  
CORY RITZ  
CITY COUNCIL

DAVE MILLHEIM  
CITY MANAGER

## City Council Staff Report

To: Honorable Mayor and City Council

From: Eric Anderson, Associate City Planner

Date: August 2, 2016

SUBJECT: **Chestnut Farms Phases IV and V Rezone Application**  
Applicant: **John Wheatley – Symphony Homes**

## RECOMMENDATION

Move that the City Council approve the enclosed enabling ordinance rezoning 30.5 acres of property as described in Exhibit "A" from A (Agricultural) to AE (Agricultural Estates located at approximately 500 South 1525 West, subject to all applicable Farmington City ordinances and standards and the following conditions:

1. The applicant must enter into a development agreement with the City for all agreed upon improvements related to 1525 West;
2. The rezone is contingent upon the approval of final plat for Phases IV and V of the Chestnut Farms PUD Subdivision.

### Findings for Approval:

1. The requested zone change is consistent with the General Plan for the area.
2. The requested zone change is associated with the requested subdivision application for Chestnut Farms Phase IV PUD Subdivision. The preliminary plat as submitted is consistent with the rezone application.
3. Staff feels that granting this zone change would allow proportionate sized single family homes on all of the property consistent with previous phases of the development.
4. It has been common practice that all agricultural zone land east of the 4218 line will be rezoned to AE.

## BACKGROUND

The request for rezone is in conjunction with the Subdivision application for the Chestnut Farms Phase IV and the future Phase V subdivision. This application is for the approximately 30.5 acres of property located near 500 South 1525 West. The current zoning is A (Agricultural) and the request is for AE (Agricultural Estates). Mr. Wheatley would like to rezone this property so that it may be subdivided into smaller lot sizes for the continuation of the Chestnut Farms PUD development. The subdivision



application for Phase IV and the subsequent lots sizes proposed are dependent on this rezone application being approved. The City has always intended that as this subdivision and related PUD master plan be approved, the property would be rezoned to reflect the first three phases of Chestnut Farms that are already built, as well as other adjacent properties. Normally, the property would have been rezoned when the developer obtained schematic and preliminary PUD master plan approval, but this action did not occur at that time.

Initially, the rezone application was heard at the City Council meeting on January 5<sup>th</sup> of this year, and the public hearing was opened and closed without comment. The item, at the recommendation of staff, was tabled due to on-going discussions with the City and Symphony Homes related to 1525 West improvements. After months of discussion on these improvements, the applicant and staff have arrived at a solution to the 1525 West improvements. The City and the applicant are going to include the portions of Chestnut Farms Phases IV and V that front 1525 West in the Special Assessment Area (SAA) that is currently underway for the southwestern portion of the City. Additionally, the City will enter into a development agreement ensuring that if the SAA does not go through, that improvements will be installed on 1525 West, including curb, gutter, park strip, sidewalk, and asphalt extension. The vertical improvements will also be installed, including the required road base. The agreement will be a separate item, however, it has been included as a condition for approval.

Supplemental Information

1. Vicinity Map
2. Zoning Map
3. General Land Use Map
4. Boundary Description of Property that is to be Rezoned – Exhibit “A”
5. Minutes from January 5, 2016 City Council Meeting

Applicable Ordinances

1. Title 11, Chapter 10 – Agricultural Zones

Respectfully Submitted



Eric Anderson  
City Planner

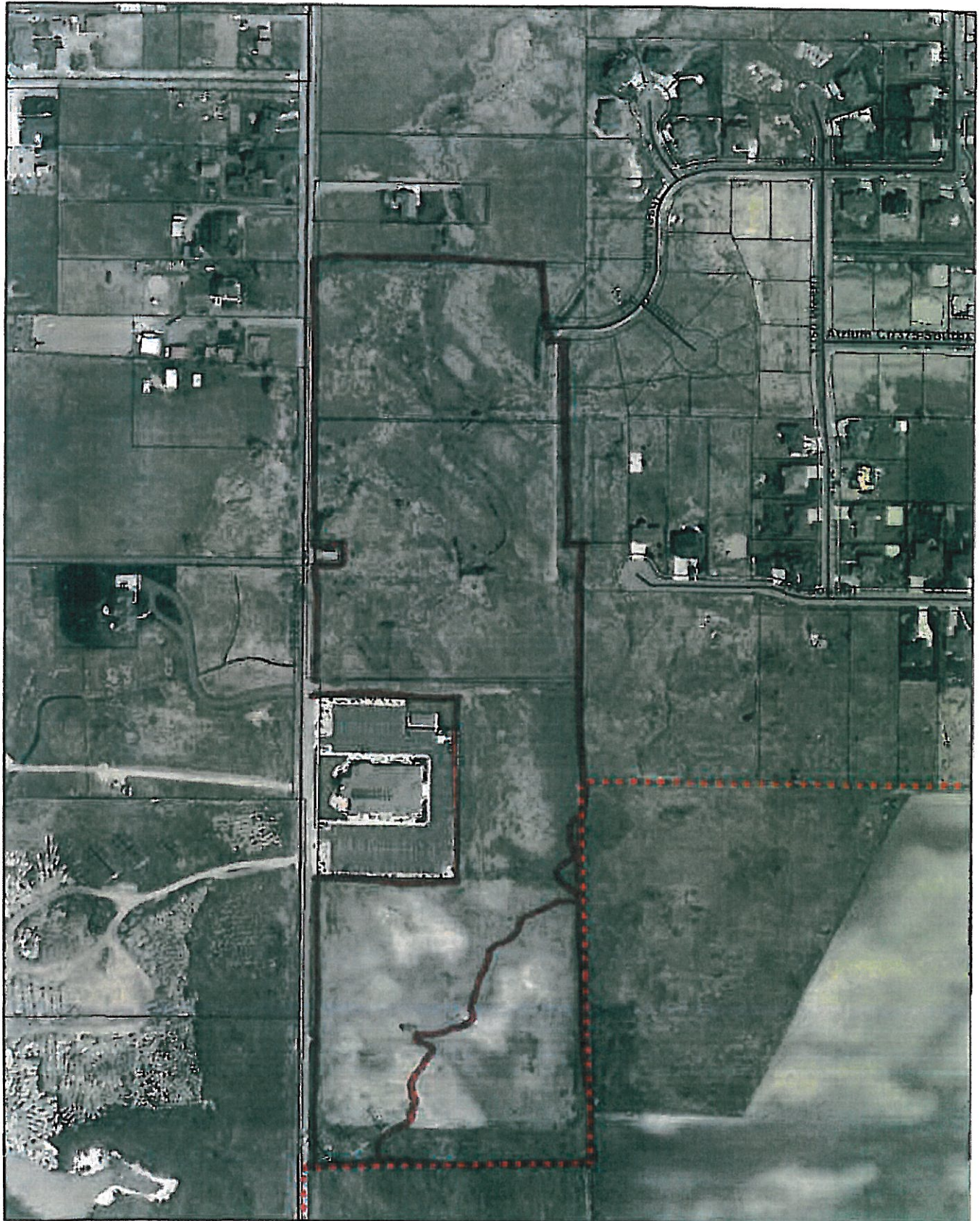
Concur



Dave Millheim  
City Manager

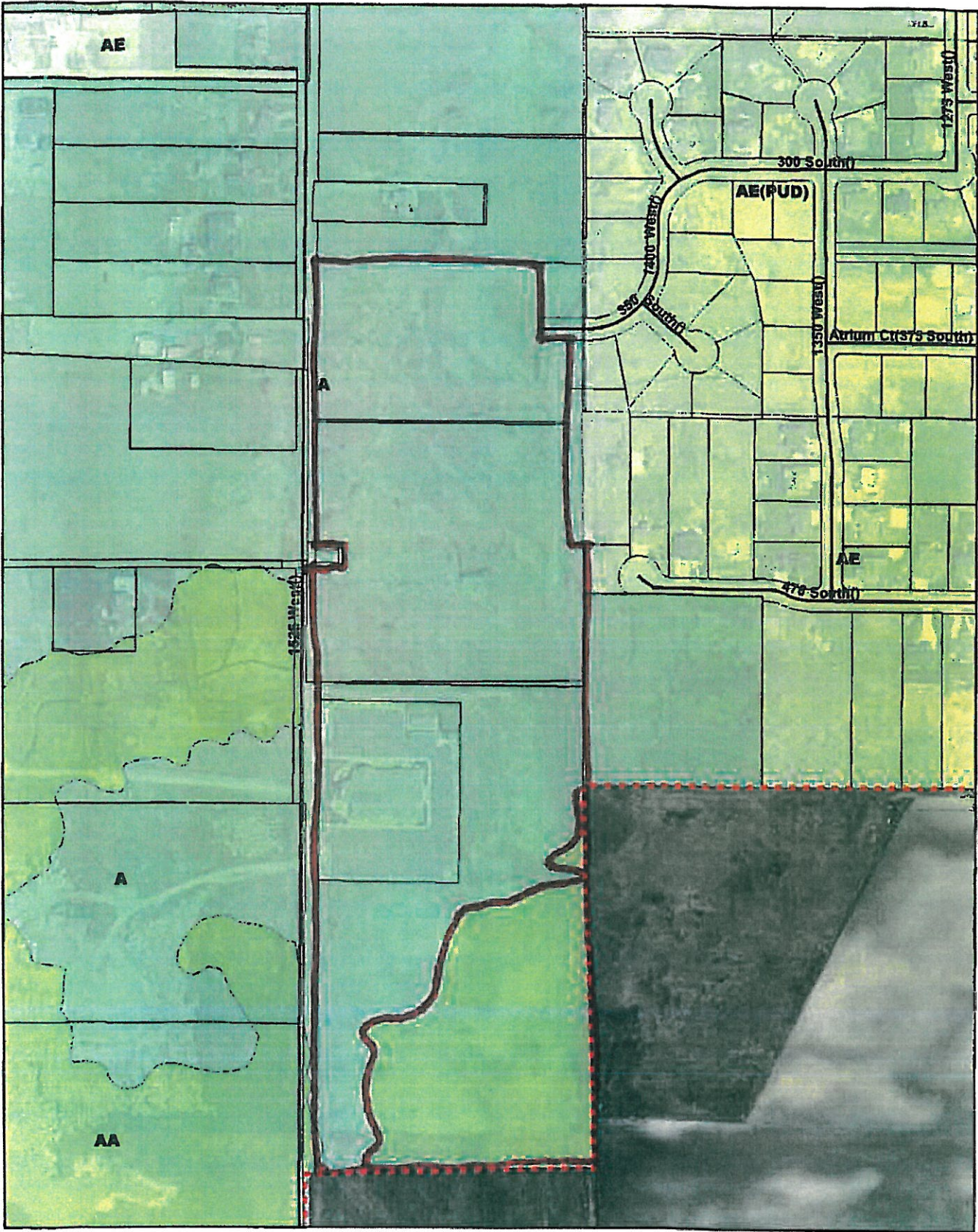


# Farmington City



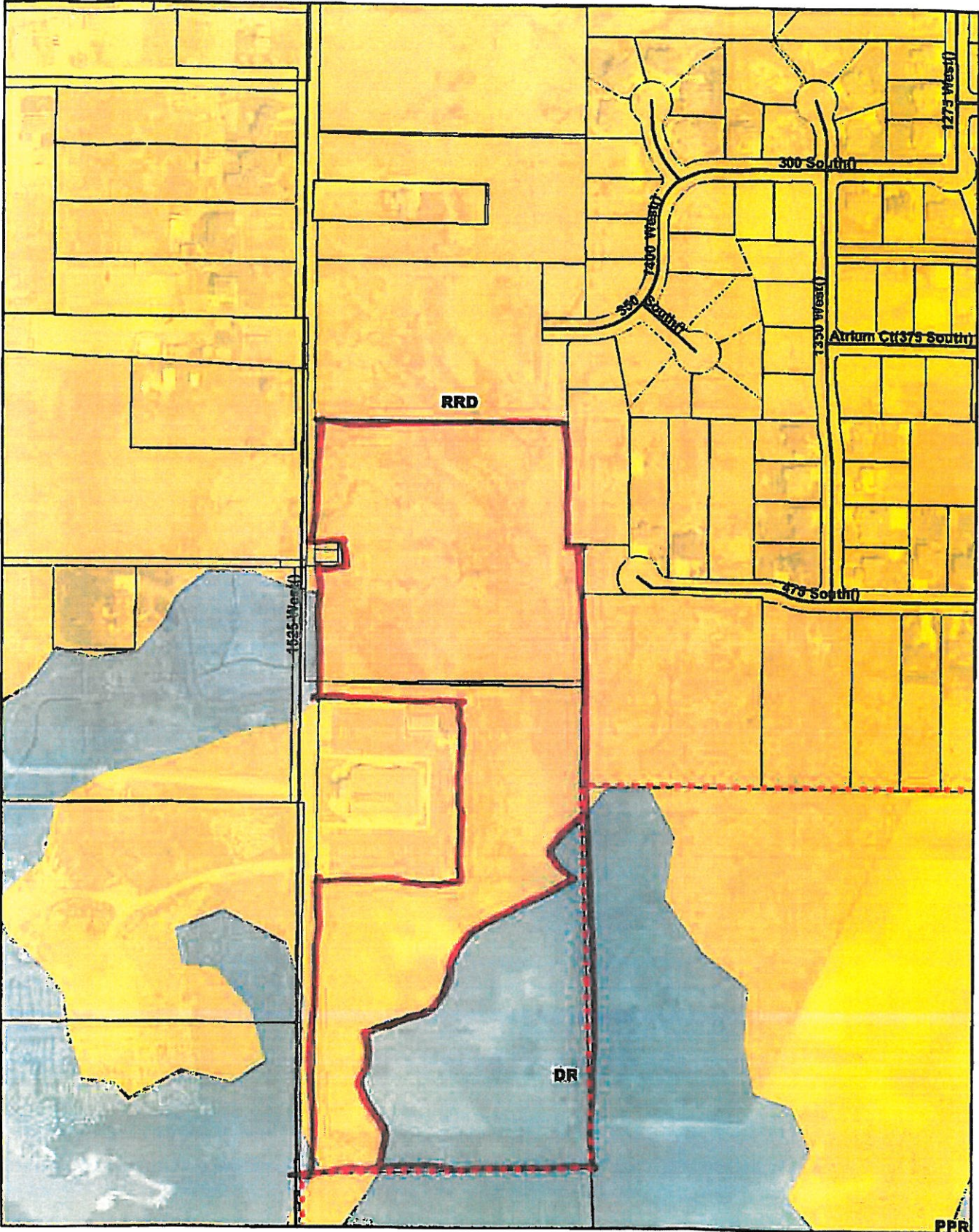


# Farmington City





# Farmington City





# EXHIBIT "A"



11-30-15  
1864-61

## CHESTNUT RE-ZONE LEGAL DESCRIPTION FARMINGTON CITY, DAVIS COUNTY, UTAH

PART OF THE NORTH HALF OF SECTION 26 AND THE SOUTH HALF OF SECTION 23 OF TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH LIES N89°46'42"E 579.01 FEET AND S00°13'18"E 64.17 FEET FROM THE QUARTER CORNER COMMON TO SAID SECTION 23 AND 26; THENCE S00°18'35"W 502.54 FEET; THENCE S01°41'04"E 933.22 FEET; THENCE S88°18'56"W 701.02 FEET; THENCE N00°34'20"E 736.71 FEET; THENCE S89°29'13"E 357.01 FEET; THENCE N00°30'47"E 451.16 FEET; THENCE N89°29'13"W 356.54 FEET; THENCE N00°34'20"E 333.29 FEET; THENCE N89°43'35"E 55.04 FEET; THENCE N00°16'25"W 60.00 FEET; THENCE S89°41'42"W 54.73 FEET; THENCE N00°03'15"E 703.26 FEET; THENCE N89°54'06"E 555.42 FEET; THENCE S00°09'22"E 193.01 FEET; THENCE N89°50'38"E 78.24 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 23.56 FEET, A RADIUS OF 15.00 FEET, A CHORD BEARING OF S44°51'24"W, AND A CHORD LENGTH OF 21.21 FEET; THENCE S00°07'49"E 497.24 FEET; THENCE N89°46'56"E 156.00 FEET; THENCE S00°07'49"E 34.80 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 107.00 FEET, A RADIUS OF 53.50 FEET, A CHORD BEARING OF S05°27'39"W, AND A CHORD LENGTH OF 90.04 FEET; THENCE S89°46'56"W 107.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,331,546 SQUARE FEET OR 30.568 ACRES

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ogden@reeve-assoc.com • reeve-assoc.com

Mr. David Peterson  
Farmington City  
160 Main Street  
Farmington, UT  
RE: Chestnut Farms Phase 4

Dear Dave:

As discussed in previous meetings with Farmington City staff, Symphony Homes is prepared to move ahead with 1525 West east frontage street improvements including curb, gutter, sidewalk and ½ street as part of the current Phase 4 and the future Phase 5 offsite improvements. This agreement is conditioned on a development agreement being drawn up by Farmington City that includes the following:

1. Improvements will not be required for installation until Farmington City issues improvement bonds for the larger west side improvement area or for the specific Chestnut Farms Phase 4 & 5 street frontages.
2. Plats for Phase 4 and 5 will be allowed to be recorded when all items are completed according to the Farmington City municipal code except recordation may take place before the street improvements are completed or bonded for as Symphony Homes does not control the timing of the bond issuance by Farmington City.
3. Upon issuance of the improvement bonds, Symphony Homes will construct the offsite street improvements in a timely manner with weather permitting and be reimbursed through monthly draws from the bond funds.

Please let us know if these terms are acceptable so we can move forward with the final plat approval that was tabled last fall over this offsite improvement issue. Thanks for your prompt consideration of this matter.

Sincerely



John Wheatley  
VP of Land Acquisition and Development



**Mayor Talbot** presented Brett Anderson and Doug Anderson to be sworn in, and **Holly Gadd** administered the oath of office.

**Mayor Talbot** welcomed **Jessica Stevens** and **Mariah Millheim** from the Youth City Council.

## **PUBLIC HEARINGS:**

### **Chestnut Farms Phase IV and V Rezone**

**Eric Anderson** said this rezone is in conjunction with Phases IV and V of the Chestnut Farms development by Symphony Homes along 1525 West and approximately 500 West. The rezone is from A to AE for 30.5 acres. The General Plan already has a designation for agriculture, and it was always intended to be AE. The one outstanding issue is the improvements to 1525 West.

**Dave Millheim** recommended that the Council table action on this item after the public hearing. The City is not opposed to the rezone; however there are serious concerns about the roads. He stated that 1525 West has incurred serious damage due to trucks, etc. and that it was not built to City standards. Due to the upcoming high school, more traffic is anticipated and the road cannot handle that traffic in its current condition. While it is not fair to ask the developer to take on all the improvements, a discussion needs to take place to determine their share. Before giving the project vesting via zoning, a conversation needs to take place as to needed road improvements on 1525 West.

**John Wheatley**, 526 North 400 West, North Salt Lake, Utah. He said they have concerns about making improvements along 1525 West. He understands the City's concern about 1525 West and the fact that the road was not built to the City's standards when it was annexed in. He said there needs to be an overall plan, and it is not fair to single them out as a developer to complete the improvements. He said other developments have not had the same requirements. He said if the City wants to have developers complete half streets, they should enact an ordinance. He said they have been at this development since 2005 and has only just been told about this requirement. He said this development will not create significant traffic. He said they are extending secondary water, and making other improvements to drainage, etc. He said the costs they have incurred for these additional improvements will add \$10,000 per lot.

**Mayor Jim Talbot** opened the public hearing at 7:34 p.m.

**Mayor Jim Talbot** closed the public hearing at 7:35 p.m.

**Doug Anderson** asked how many “touch points” the development will have on 1525 West and **John Wheatley** said there will be one.

**Cory Ritz** joined the Council meeting telephonically at 7:35 pm.

**Brett Anderson** asked how the construction crews have accessed the development. **John Wheatley** said primarily through 1100 West but they have brought in fill dirt on 1525 West. **Brett Anderson** asked Dave Petersen if there were other developers that were asked to improve 1525 West as they put in developments. **Dave Petersen** said staff will have to look into that. **Chad Boshell** said in the 2 years he has worked for the City, they have not asked any other residential developments to make improvements along 1525 West; however with other County roads that the City inherited, the City has been asking developers such as the schools, to make half width improvements (26' of asphalt). **Mayor Talbot** asked when he found out about this and **John Wheatley** said he received first notice of this in June.

***Motion:***

**John Bilton** made a motion that the City Council tabled this rezone until it comes back with some form of agreement in relation to the improvements for the road.

**Doug Anderson** seconded the motion which was unanimously approved.

**Pack Property Rezone and General Plan Amendment for Ivory Homes**

**Eric Anderson** said this is the Pack property on 650 West and Glover's Lane. The applicant is requesting to rezone 48 acres of LM&B to AE. He said they initially requested LR, but LR has never been zoned west of the freeway, and so the applicant came back requesting AE. At their final meeting, the Planning Commission did not concur with staff's recommendation and recommended approval with a split vote. They felt that Farmington is a residential community and LM&B uses are not needed; additionally there is not good freeway access to this property. However, staff felt that LM&B is a good placeholder, and could be useful for future development the City does not know it needs yet. The Planning Commission vote was 4-2, with one commissioner absent. The West Davis Corridor preferred alignment goes through this property, but staff was instructed by UDOT to move forward with this application as though that was not a possibility because there is no record of decision yet. However he pointed out that it is an issue that needs to be considered. He said staff feels that the findings are sufficient to deny the application. He said the Planning Commission's disagreement should also be taken into consideration.

**Nick Mingo**, Ivory Homes, 978 East Wood Oak Lane, Salt Lake City, Utah. He said the total property is about 58 acres. He said there is a small portion of approximately 10 acres that is already zoned AE. Of the remaining 48 acres, they are proposing to leave about 10 acres as LM&B, and to rezone the rest (about 38 acres) as AE. He said they held their own informal neighborhood meeting in addition to the 3 Planning Commission meetings they attended to address concerns. In their opinion, a residential community is a better use than manufacturing in that area. Access for business is not ideal, but it is ideal for families due to



CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

**S U B J E C T: Minute Motion Approving Summary Action List**

1. Silver Hollow Open Space Waiver
2. Davis Creek Subdivision Open Space Waiver
3. Approval of Minutes from July 19, 2016

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.





# FARMINGTON CITY

H. JAMES TALBOT  
MAYOR

BRETT ANDERSON  
DOUG ANDERSON  
JOHN BILTON  
BRIGHAM MELLOR  
CORY RITZ  
CITY COUNCIL

DAVE MILLHEIM  
CITY MANAGER

## City Council Memo

To: Honorable Mayor and City Council

From: Eric Anderson – Associate City Planner

Date: August 2, 2016

SUBJECT: MEMO REGARDING SILVER HOLLOW OPEN SPACE WAIVER

### RECOMMENDATION

Approve the partial open space waiver for the Silver Hollow Conservation Subdivision as set forth in the City Manager's Recommendation below, by a vote of not less than four (4) City Council members, per Section 11-12-065 subject to all applicable ordinances and development standards.

### BACKGROUND

At the June 9<sup>th</sup> Planning Commission, Ivory Homes received preliminary plat approval for the proposed Silver Hollow Conservation Subdivision (the Jerrod Jeppson property). The Planning Commission added a condition that: *"The applicant shall provide the 15% open space through a public access (trail) easement and a partial waiver; the trail shall not exceed 1/3 of the total amount for the open space waiver amount."* While the Planning Commission agreed that the pedestrian connection should count as some of the open space, they felt that it should only count for 1/3 of the open space requirement, and the remaining 2/3 open space would be obtained through a waiver. However, in making the motion the Planning Commission did not understand that the developer is proposing open space equal to 2/3 of the required amount when considering the off-site trail requirement and the on-site trail easement connection. The total project area is 217,982 s.f. and there is approximately 64,982 s.f. of constrained land taking the net area to 153,000 s.f. The open space requirement of 15% equals 22,950 s.f. and the off-site and on-site trail easements total 15,214 or approximately 2/3 of the total 22,950 s.f. required.

At the June 9<sup>th</sup> Planning Commission, Ivory Homes presented an open space plan that used the pedestrian connection and land (minus constrained land in the floodplain) that is adjacent to Haight Creek to meet the 15% open space requirement. Both staff and the Planning Commission felt that the open space provided is more akin to conservancy lots than true conservation lands, as defined by conservation easements, and both also felt that these areas would be preserved regardless if they were determined as no-build areas within the conservancy lots or not, because the area is not buildable under any scenario.

### City Manager Recommendation

In consideration of the waiver amount, the City Manager reviewed Section 11-12-065 of the Zoning Ordinance, which reads:



*"Subject to the provisions set forth herein, any provision of this Chapter may be waived by the City upon a vote of not less than four (4) members of the City Council. Such waiver(s) shall be granted only in limited circumstances as deemed appropriate and necessary by the City Council. No waiver shall be granted absent a finding of good cause based upon specific special circumstances attached to the property. No waiver should be granted that would be contrary to the public interest or contrary to the underlying intent of this Chapter. Any waiver of the required minimum conservation land dedication shall require comparable compensation, off-site improvements, amenities or other consideration of comparable size, quality, and/or value."*

It is the City Manager's recommendation that a waiver is justified for the remaining 1/3 without monetary compensation because the trail connection provided enables a valuable trail connection in the future in the Haight Creek Draw on the George Clark property consistent with the General Plan, and without it, it may be very costly for the City to obtain such a future trail. Moreover the Developer will be required to pave the on-site portion of the trail connecting Silver Hollow road with the private drive.

Supplemental Information

1. Vicinity Map
2. Preliminary Plat – Approved June 9, 2016 by the Planning Commission
3. Preliminary Plat with 15% Open Space Provided On-Site
4. Master Trails Plan

Applicable Ordinances

1. Title 11, Chapter 11 – Single Family Residential Zones
2. Title 11, Chapter 12 – Conservation Subdivisions

Respectfully Submitted

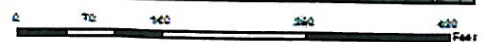
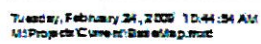


Eric Anderson  
City Planner

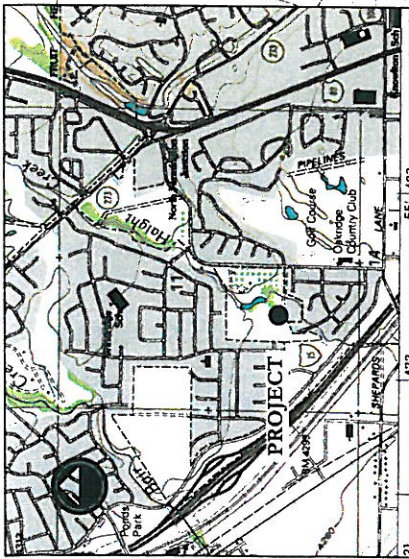
Review & Concur



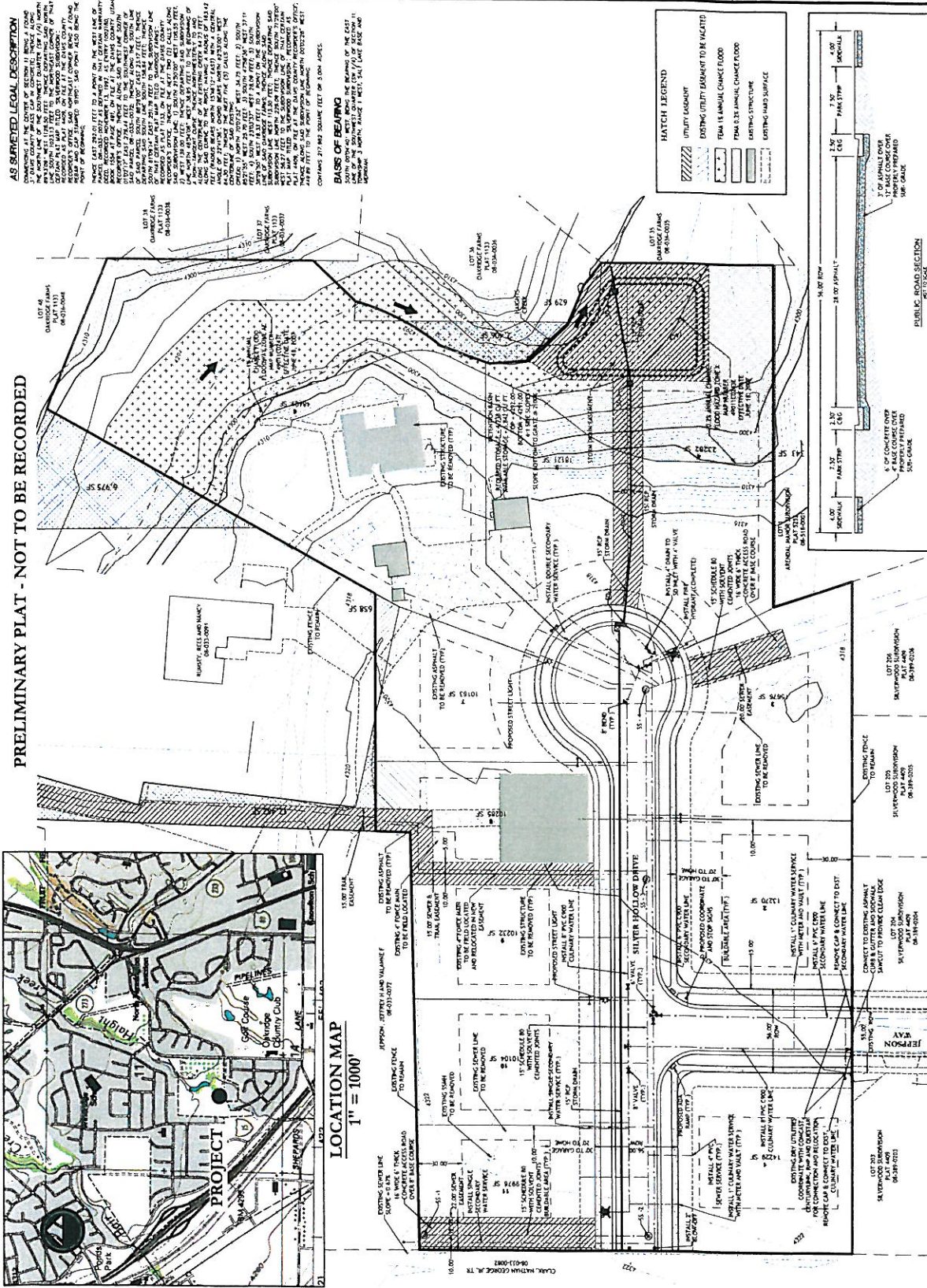
Dave Millheim  
City Manager







# PRELIMINARY PLAT - NOT TO BE RECORDED



PO Box 120645 Salt Lake City, UT 84112-0645  
 (801) 201-1784 www.edmllc.net

**DEVELOPER:**  
 Silver Hollow  
 978 East Woodstock Lane  
 Salt Lake City, UT 84117  
 801-747-7000

**NOTES:**

1. All existing lower improvements shall conform to the standards and specifications of the Utah Department of Transportation (UDOT).
2. All utility easements shall conform to the standards and specifications of the Utah Department of Transportation (UDOT).
3. All easements shall be shown in accordance with the standards and specifications of the Utah Department of Transportation (UDOT).
4. All easements shall be shown in accordance with the standards and specifications of the Utah Department of Transportation (UDOT).
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14. All easements shall be shown in accordance with the standards and specifications of the Utah Department of Transportation (UDOT).
15. All easements shall be shown in accordance with the standards and specifications of the Utah Department of Transportation (UDOT).

**REVISIONS:**

NO.	DATE	REVISION
1	05/23/2016	ISSUED FOR PERMIT

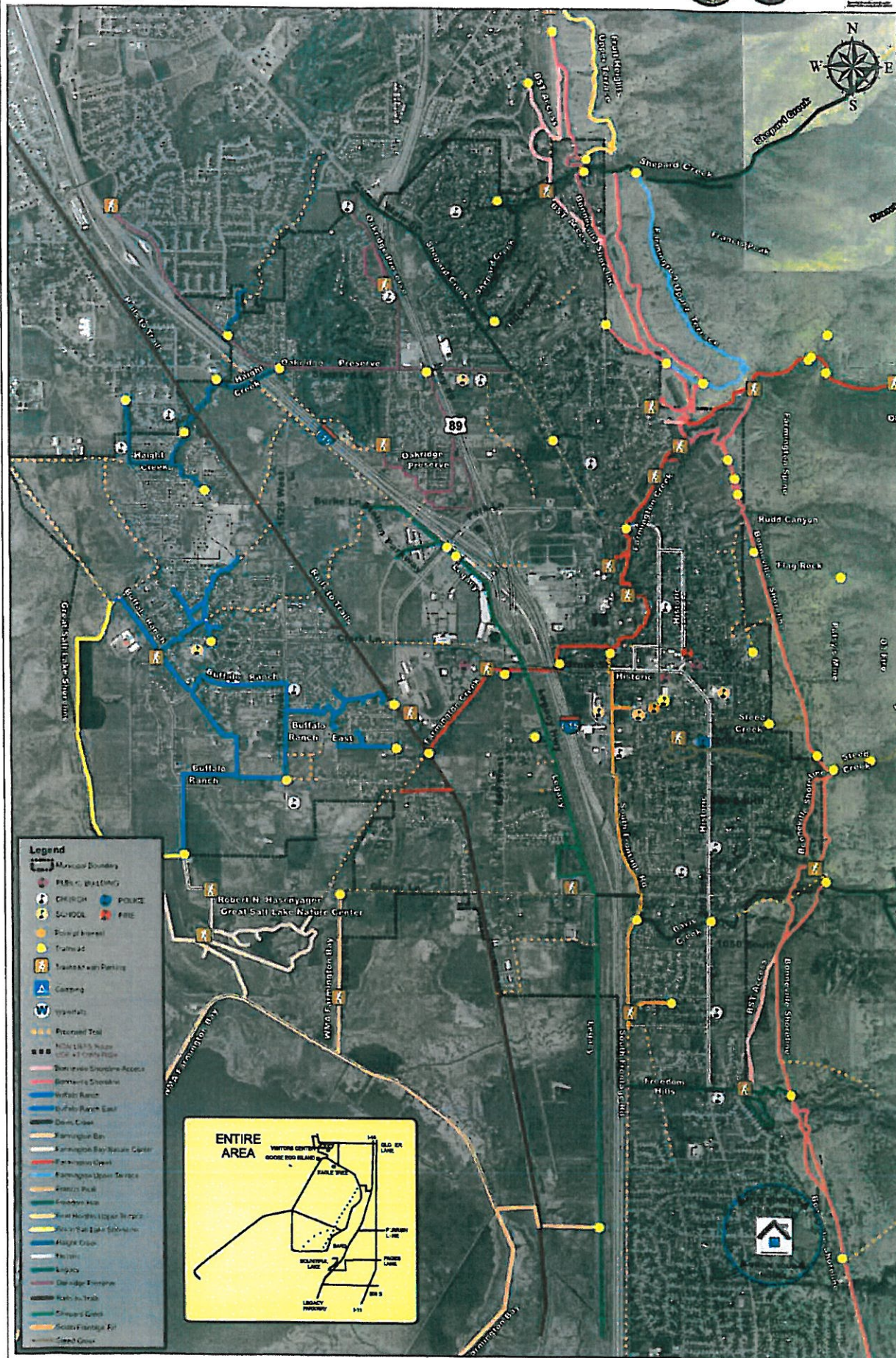
**PROJECT:**  
 Silver Hollow  
 1505 North 1500 West

**DATE:** May 23, 2016  
**STREET NUMBER:** O-1













# FARMINGTON CITY

H. JAMES TALBOT  
MAYOR

BRETT ANDERSON  
DOUG ANDERSON  
JOHN BILTON  
BRIGHAM MELLOR  
CORY RITZ  
CITY COUNCIL

DAVE MILLHEIM  
CITY MANAGER

## City Council Memo

To: Honorable Mayor and City Council

From: Eric Anderson – Associate City Planner

Date: August 2, 2016

SUBJECT: MEMO REGARDING DAVIS CREEK SUBDIVISION OPEN SPACE WAIVER

### RECOMMENDATION

Approve the open space waiver, in the amount of \$90,000 payable to the City, by a vote of not less than four (4) City Council members, per Section 11-12-065 subject to all applicable ordinances and development standards.

#### Finding for Approval

1. There appears to be no sensitive or constrained lands on site worth preserving, and the 2.85 acres of open space could be better used elsewhere in the City.

### BACKGROUND

At the July 19<sup>th</sup> City Council, the Davis Creek Residential Subdivision schematic plan was approved. However, the open space waiver was not approved because there were only three council members to vote. As per Section 11-12-065 of the Zoning Ordinance:

*"Subject to the provisions set forth herein, any provision of this Chapter may be waived by the City upon a vote of not less than four (4) members of the City Council. Such waiver(s) shall be granted only in limited circumstances as deemed appropriate and necessary by the City Council. No waiver shall be granted absent a finding of good cause based upon specific special circumstances attached to the property. No waiver should be granted that would be contrary to the public interest or contrary to the underlying intent of this Chapter. Any waiver of the required minimum conservation land dedication shall require comparable compensation, off-site improvements, amenities or other consideration of comparable size, quality, and/or value."*

As there appears to be no constrained and/or sensitive areas within this property to be preserved as conservation land, and because of the size of the open space required, staff feels that the "finding of good cause" is that the open space would be better used and consolidated elsewhere in the City, particularly the regional park or in the trail system. The applicant has met with the City Manager and they have negotiated an amount on the waiver of \$90,000, however, that negotiation does not in any way bind the City Council to approving the waiver; it simply sets the amount should the City Council approve it.



Supplemental Information

1. Vicinity Map
2. Schematic Plan – Approved July 19, 2016 by the City Council

Applicable Ordinances

1. Title 11, Chapter 10 – Agricultural Zones
2. Title 11, Chapter 12 – Conservation Subdivisions

Respectfully Submitted



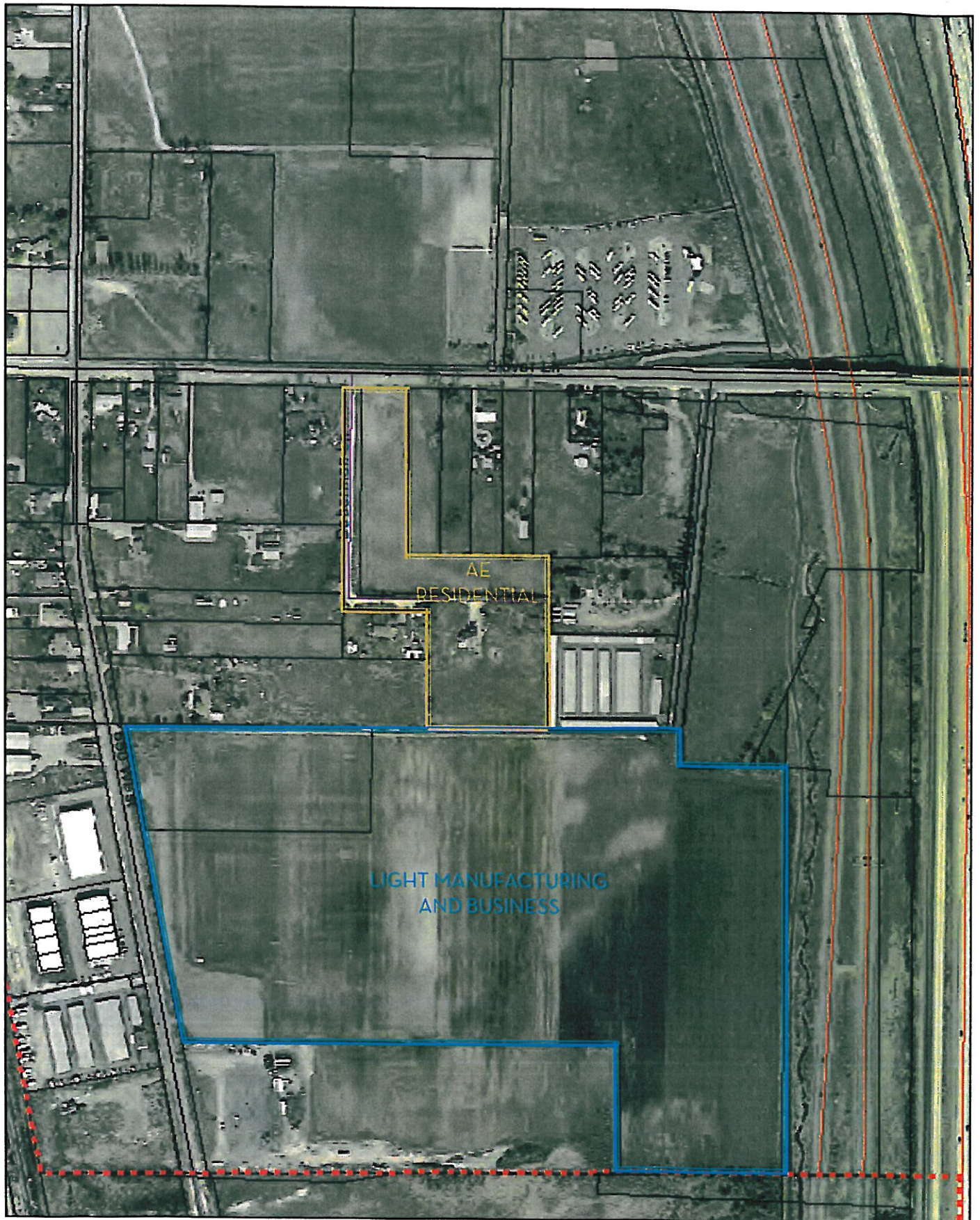
Eric Anderson  
City Planner

Review & Concur



Dave Millheim  
City Manager

# Farmington City







**DEVELOPER:**  
Ivory Development  
9778 East Woodoak Lane  
Salt Lake City, UT 84117  
801-747-7000

- NOTES:**
1. All sanitary sewer improvements shall conform with the specifications of General Sewer District.
  2. All sanitary sewer improvements shall conform with the standards and modifications of Farmington City.
  3. All secondary water improvements shall conform with the specifications of Farmington City.
  4. All improvements in the public right of way shall conform with the standards and specifications of Farmington City.
  5. All private improvements shall conform to the standards and specifications of Farmington City.
  6. Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.

**PROJECT STATISTICS**  
TOTAL AREA = 9.50 ACRES  
TOTAL LOTS = 15 LOTS  
(158 LOTS/AC)

NO CHANGES TO ZONE TEXT OR  
BOUNDARIES ARE REQUESTED AS  
PART OF THIS SUBDIVISION  
APPLICATION.

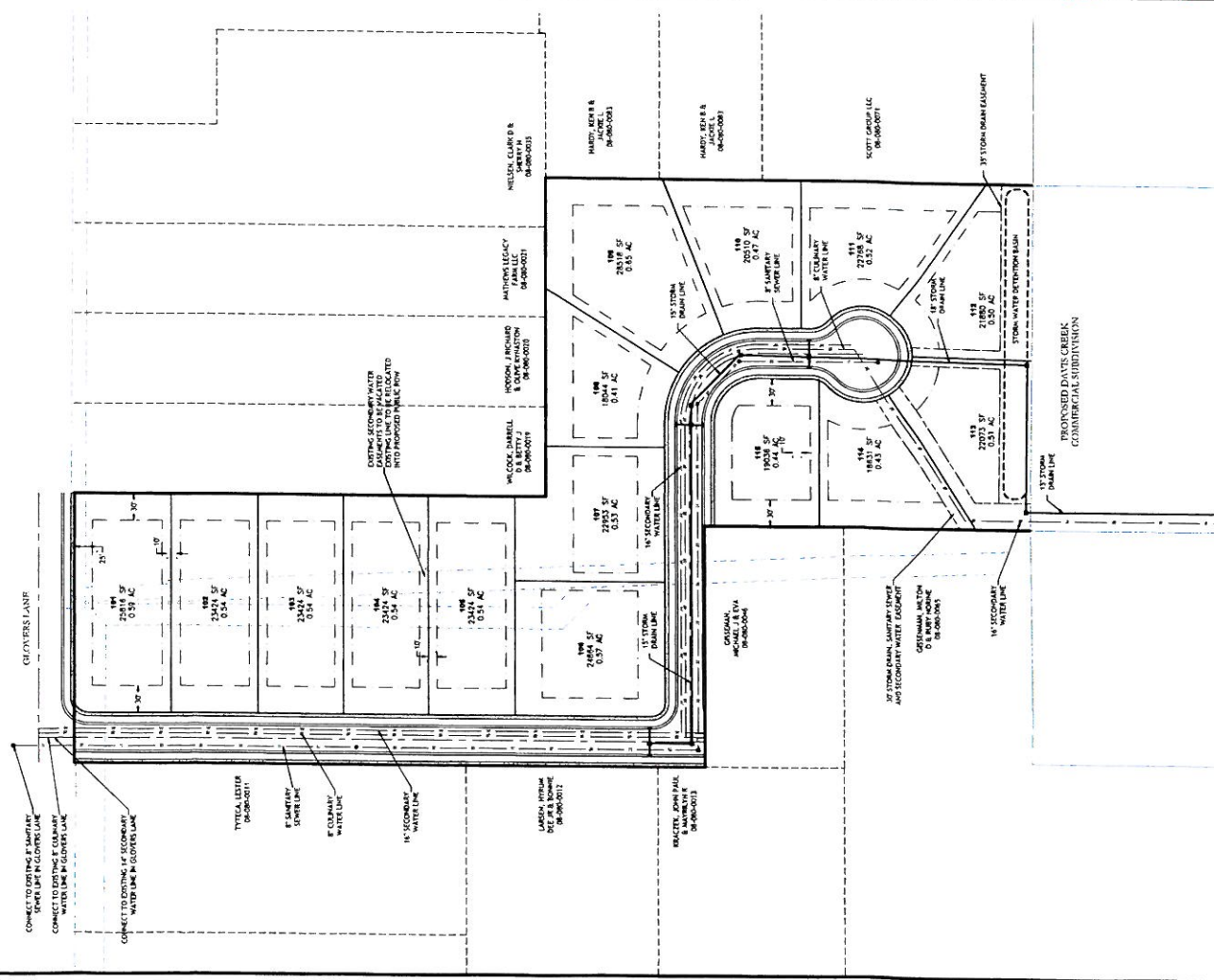
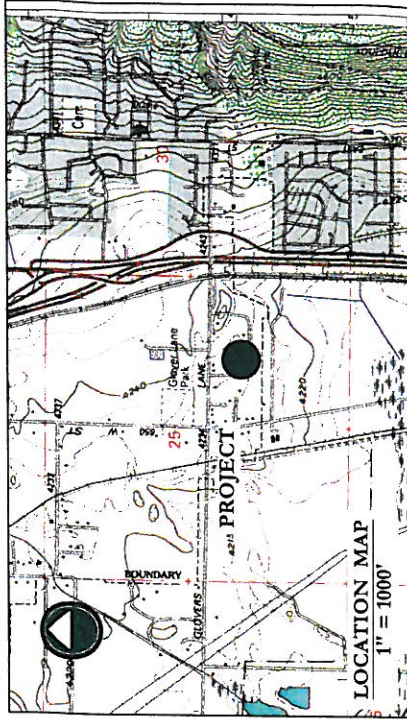
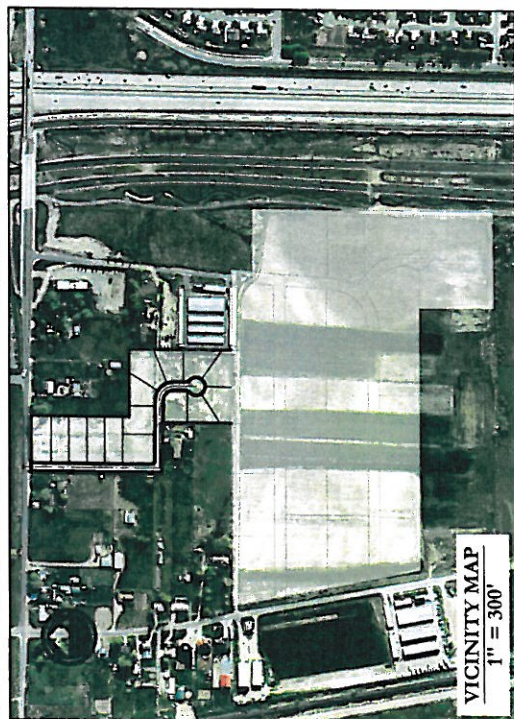
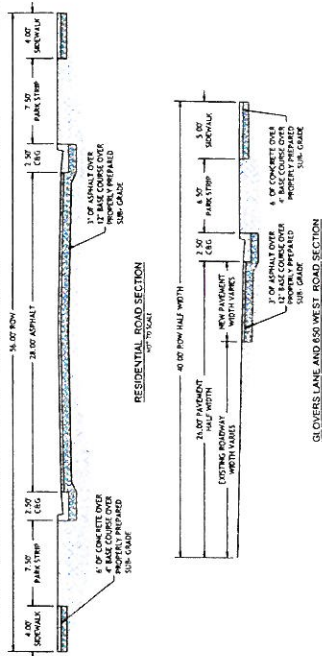
Davis Creek Sub.  
1269 South 650 West

### Residential Schematic Plan

PROJECT:	1607
DRAWN BY:	NMM
REVIEWED BY:	NMM
REVISIONS:	
No. DATE:	REMARKS

DATE: May 25, 2016

**O-2**



## FARMINGTON CITY COUNCIL MEETING

July 19, 2016

### WORK SESSION

*Present: Mayor Jim Talbot, Council Members Brett Anderson, Doug Anderson, John Bilton, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Eric Anderson City Recorder Holly Gadd and Recording Secretary Katie Gramse. Council Members Brigham Mellor and Cory Ritz were excused.*

**Dave Millheim** pointed out that due to the number of council members in attendance in today's meeting, a unanimous vote will have to be made by all council members in order for a motion to pass.

### Davis Creek Commercial Subdivision Schematic Plan

In the event of the UDOT moves forward with the Glover's Lane preferred alignment for the West Davis Corridor (WDC) , **Mayor Jim Talbot** said the property for this subdivision may be affected. **Mayor Jim Talbot** expressed concerns that the preferred alignment could affect future business owners if the City Council moves forward with this subdivision.

**Dave Millheim** said Ivory Homes has asked that the open space requirement be waived for the subdivision. He asked the City Council if they feel comfortable waiving the open space. If so, he also asked if the council members are comfortable negotiating payment for the waiver, which would be in the amount of \$90,000, or if they would prefer an exchange of something else. **Mayor Talbot** said he does not have a problem with exchanging payment for the waiver, as that money may be used for open space elsewhere in the City.

### Development Agreement Amendment Request – Rice Farms PUD

**Dave Millheim, Mayor Talbot**, and the council members discussed residents' concerns with the trail, the development agreement that requires the trail, and the City's desire to create connectivity within the City. Some of the council members received emails from the residents; these emails expressed concern with the proposed location for the trail. The council members and staff discussed the preferred locations for the trail, and all feel that it would create better connectivity between the neighborhoods.

**Dave Millheim** asked the council members if they would like to have a public hearing discussing the trail. The council members discussed the pros and cons of having a public hearing. The council members felt the development agreement and previous approval processes for the subdivision should be upheld as per the Ordinance. **Dave Millheim** mentioned he discussed with the City Attorney the legal ramifications of amending the development agreement. The City Attorney mentioned there is the potential the subdivision may have to go through the full PUD approval process again.



## **REGULAR SESSION**

*Present: Mayor Jim Talbot, Council Members Brett Anderson, Doug Anderson, John Bilton, City Manager Dave Millheim, City Development Director David Petersen, Associate City Planner Eric Anderson, City Recorder Holly Gadd, and Recording Secretary Katie Gramse. Council Members Brigham Mellor and Cory Ritz were excused.*

### **CALL TO ORDER:**

#### **Roll Call (Opening Comments/Invocation/Pledge of Allegiance)**

The invocation was offered by **Doug Anderson** and the Pledge of Allegiance was led by a **John Bilton**.

**Mayor Jim Talbot** welcomed the youth city council members Evan Voordeckers and Mikelle Patterson.

### **PUBLIC HEARINGS:**

#### **Davis Creek Residential Subdivision Schematic Plan**

**Eric Anderson** said the applicant, Ivory Homes, is proposing a residential subdivision off of Glover's Lane; this application came in the adjacent commercial subdivision proposed for the LM&B zone. **Eric Anderson** said the yield the plan resulted in 8 lots; however, in a conventional AE subdivision, the applicant may have up to 15 lots. **Eric Anderson** said due to the surrounding un-platted parcels, the City has requested that the applicant push the proposed road to the southwestern boundary of their property. This would allow for easier access in the event the surrounding property owners choose to develop in the future. Moving the proposed road to this location will increase the length of the cul-de-sac to exceed the 1,000' dead end road restriction. The Development Review Committee (DRC) reviewed the length of the cul-de-sac; the DRC is comfortable moving forward with a deviation to the required restriction. **Eric Anderson** said the applicant is also seeking a waiver for the 30% open space requirement for conservation subdivisions. Based on the Ordinance, the waiver can only be approved with the vote of 4 city council members. **Eric Anderson** said since there is only 3 council members in attendance, the approval for the waiver will have to take place at future city council meeting.

**Chase Freebairn**, 978 Wood Oak Lane, Salt Lake City, representative for Ivory Homes, thanked the council members and staff for their involvement in the City. He said Ivory Homes is looking forward to moving the project forward. He said he is available for any questions.

**Mayor Jim Talbot** opened the public hearing at 7:13 p.m.

No comments were received.

**Mayor Jim Talbot closed the public hearing at 7:13 p.m.**

**Brett Anderson** asked what the exact length of the road is and if the design of it was to accommodate the City. **Eric Anderson** said he was unsure of the exact length of the road; the originally proposed road would have cut the property down the center, but would have met the 1,000' dead end road restriction. The current proposed road extends the cul-de-sac, but assists the City in accessing the adjacent un-platted plots and better plans for the needs of future development. The DRC, which includes the Fire Department, reviewed the length of the cul-de-sac. The DRC is comfortable with the length of the cul-de-sac as currently proposed.

***Motion:***

**Doug Anderson** made a motion that the City Council approve the schematic plan subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall receive approval for the open space waiver, in the amount of \$90,000 payable to the City, by a vote of not less than four (4) City Council members prior to plat recordation;
2. The applicant shall provide a 30' storm drain, sanitary sewer, and secondary water easement from the cul-de-sac to the proposed Davis Creek Commercial Subdivision on preliminary and final plat, as illustrated on the attached schematic plan;
3. The applicant shall provide all side treatments, including curb, gutter, sidewalk, and park strip on both sides of the proposed road for its entire length;
4. The applicant receive approval from the City Council for the cul-de-sac which exceeds 1,000' in length per Section 12-7-040(4)(d) of the Subdivision Ordinance.

**Findings for Approval:**

1. There appears to be no sensitive or constrained lands on site worth preserving, and the 2.85 acres of open space could be better used elsewhere in the City.
2. The lot sizes exceed the minimum and average lot size required in a Conservation Subdivision for an AE zone significantly.
3. The proposal seeks to create in-fill development in an area of the City where such development makes sense, i.e. across from the new high school.
4. By moving the road to the southern and western boundaries, the proposed schematic plan is allowing for the future development of several adjacent property owners who otherwise might not be able to develop their long and deep parcels.
5. The Fire Department has provided no dissenting comments regarding the cul-de-sac to be in excess of 1,000'.
6. The Planning Commission has determined that the physical conditions of the development site makes it impossible to develop the property any other way.

**Brett Anderson** seconded the motion, which was unanimously approved.



### **Davis Creek Commercial Subdivision Schematic Plan**

**Eric Anderson** said this is the commercial portion of the subdivision proposed for the Pack Property, which is located in the LM&B zone. Earlier in the year, the applicant requested a rezone of this property from LM&B to AE (Agricultural Estates); however, the City Council denied the request. The applicant is now proposing an LM&B type development that meets all ordinance requirements. **Eric Anderson** said, as per the Ordinance, the Planning Commission would review all conditional uses for the LM&B zone. **Eric Anderson** also said that the City is requesting a storm water easement as part of the subdivision's approval process. There is concern that if the subdivision does not happen, perhaps by disruption from the WDC, the storm water will not be conveyed anywhere. The storm water easement will ensure that will not happen. **Eric Anderson** said staff is recommending approval of this item.

**Mayor Talbot** asked if the motion calls for the storm water easement or for the developer to install the storm water system. **Eric Anderson** said the motion requests that the easement be listed on the preliminary and final plats, as well as have it recorded against the property. The easement listed on the plats and the note against the property will show how the water will get from the subdivision to the detention basin. **Mayor Talbot** asked who would be responsible for the storm water in the event the WDC is built through this property. **Dave Millheim** said UDOT will be responsible for anything the highway touches or affects; having the easements in place provides assurance that the City will be made whole with regards to the addressing the storm water.

The applicant did not have any comments at this time.

### **Mayor Jim Talbot opened the public hearing at 7:22 p.m.**

**Jared Schetselaer**, 150 S. 650 W., expressed concern that the property being discussed as LM&B will someday be an entry point into the City. He expressed frustration that there was full community support when the applicant was proposing residential; however, it seemed that there was a pre-determined decision made by council members prior to the meeting to turn down the applicant's request. He expressed the desire to possibly blend additional residential into the LM&B zone as a way to change the feeling for those that may enter the City in the future when this does become an entry point. As a way to preserve the future entry point, and to move traffic away from 650 W., he also suggested that all LM&B traffic enter through an eastern entry. He feels these suggestions would bring more neighborhood support and allow for a better entry point into the City in the future.

**Eva Gisseman**, 1025 S. Glover's Lane, said that the previous subdivision's approval directly affects her property. During the residential subdivision and this subdivision, she said a discussion about the storm water drainage and detention basin took place; however, it seemed as though just an easement was being considered. She expressed concern that each time the abutting farmland waters, her property is flooded. She asked that actual drainage be considered in lieu of just an easement.

**Mayor Talbot** asked staff to make a note of the comments received.

***Mayor Jim Talbot closed the public hearing at 7:27 p.m.***

**Brett Anderson** said he feels the decision was made for this property a long time ago when the property was zoned LM&B. The applicant is now requesting to use the property for its intended purpose within the zone requirements.

**Doug Anderson** asked where the storm water would drain when the residential subdivision is developed. **Dave Millheim** referenced the residential subdivision's schematic plan. He pointed out that there is a storm water detention basin located on the southern end of the development. He also acknowledged everyone's frustration with the WDC. He said UDOT has told the City to move forward with applications that are consistent with the zoning. **Dave Millheim** said the easement has been requested in the event the commercial project is developed; however, the proposed detention basin in the residential area will act as a "holding place" for a time. Additionally, if the WDC is proposed for this property, having an easement in place will require that the storm water will have to be placed elsewhere, but will still be addressed.

**Mayor Talbot** said that staff and the city council have also agreed to add a note to the plat map stating that there is a possibility that the WDC could affect the property in this area.

**Dave Millheim** also pointed out that when the applicant previously proposed a zone change to AE, the council members were uncomfortable approving homes that could potentially be condemned in the event the WDC preferred alignment comes through this property. If the council wanted to revisit a "blend" scenario, a partial rezone of the property would have to be revisited. **Dave Millheim** suggested waiting to see where the preferred alignment for the WDC will be located before revisiting how the "entry" to the City should be presented. **Mayor Talbot** agreed, and said he agrees with **Jared Schetselaer** that all entries into the City should be dressed to fit the look and feel of Farmington.

***Motion:***

**Brett Anderson** made a motion that the City Council approve the schematic plan subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall provide a storm water easement in favor of Farmington City from the north to the south boundary, and show this easement on preliminary plat;
2. A note shall be placed on the plat reflecting and detailing UDOT's most current plans for alignment of the West Davis Corridor and how these plans may affect the underlying property.

**Findings for Approval:**

1. The proposed subdivision is the highest and best use for this property given the underlying LM&B zoning designation.
2. The proposed subdivision meets all of the requirements as outlined in Chapter 26 of the Zoning Ordinance.



3. The proposed subdivision creates added connectivity to the area with three points of ingress/egress to Glover Lane and 650 West.
4. By providing a storm-water easement the length of the property, the City is protecting itself from future drainage issues should the subdivision not be built due to the ultimate West Davis Corridor alignment.

**John Bilton** seconded the motion, which was unanimously approved.

**Plat Amendments for Eastridge Estates Phase I Subdivision, Oakridge Farms Subdivision and Somerset Hollow Subdivision**

**Eric Anderson** said there are 3 plat amendments lumped together with this item. He said all 3 plat amendments are combining lots. He said on each plat amendment notices are sent to neighbors stating that residents have 10 days to let the City know if there is any protestation. If there are not any protests, the City does not need to have a public hearing; however, the City still notices the public hearing as a precaution because the public hearing notice must be posted prior to the end of the 10 notice of protestation. **Eric Anderson** said each amendment is straightforward, and that the City is usually under the belief that lowering density by combining lots is better than increasing density.

***Mayor Jim Talbot opened the public hearing at 7:39 p.m.***

No comments were received.

***Mayor Jim Talbot closed the public hearing at 7:39 p.m.***

No additional discussion took place.

***Motion:***

**John Bilton** made a motion that the City Council approve the proposed Eastridge Estates Phase I Subdivision Plat Amendment set forth herein; approve the Bramhall/Oakridge Farms Subdivision Plat Amendment as set forth herein; and approve the Simmons/Somerset Hollow Subdivision Plat Amendment as set forth herein. **Doug Anderson** seconded the motion, which was unanimously approved.

**Miscellaneous Zoning and Subdivision Ordinance Amendments**

**Eric Anderson** explained each part of the item as listed below:

- a) He said there is currently no requirement to hold a public hearing for special exceptions, as found in Title 11 Chapter 3 Section 045. Staff feels a public hearing may be beneficial as often times abutting neighbors may be impacted by the special exception, but are not currently notified.
- b) Currently, a request for a height increase to a detached accessory building must go through a conditional use permit so it is reviewed by the Planning Commission; however, all residential zones except the OTR zone include wording that no fee is

assessed for this kind of application. This proposed amendment will address this oversight.

- c) Currently, the governing ordinance does not make specific allowance for different type of temporary uses based on whether the underlying zone is residential or commercial. The proposed amendment will allow for temporary uses through a conditional permit in multi-family, business and light manufacturing and business zones. An example of this would be a firework stand. This amendment would allow a temporary firework stand in the LM&B zone.
- d) This was brought to staff's attention, as a resident in a recorded subdivision would like to subdivide their property; however, doing so is currently prohibited by the Ordinance. Upon further reviewing, it appears that when the Ordinance was adopted from another City, the sentence, "flag lots are prohibited if the proposed flat lot will...re-subdivide an existing lot or lots in a recorded subdivision." When stricter regulations for flag lots were adopted, it was never the intent to prohibit even the consideration of a flag lot in a recorded subdivision, but was adopted to create stricter guidelines for new development within the City. The proposed change would allow a resident the opportunity to present the proposal for a recorded property subdivision with a flag lot to the Planning Commission and City Council to consider; however, it is still a discretionary item that can be approved or denied by the commission and council.
- e) This item is adding language to clarify the allowable number of external employees of a home occupation. Currently, the Ordinance only allows for one un-related employee at any one time for a home occupation. The proposed change will allow for more flexibility so a home occupation can have one employee in the home at a time, which means the possibility of part-time employees.

**Mayor Jim Talbot opened the public hearing at 7:52 p.m.**

**Walter Bornemeier**, 351 Shepherd Ridge Rd., said he is the resident that approached the City regarding the language prohibiting flag lots in recorded subdivisions. He said he is in favor of the proposed amendment for item d, which is removing the flat lot restriction.

**Mayor Jim Talbot closed the public hearing at 7:53 p.m.**

No further discussion took place regarding the amendments.

***Motion:***

**John Bilton** made a motion that the City Council approve the enclosed amendments to the zoning and subdivision ordinances as set forth in the July 19, 2016 staff report and the enclosed enabling ordinance related thereto.

**Findings for Approval:**

1. The Special Exceptions to be public hearings gives the Planning Commission a chance to hear from affected neighbors, receive input on considerations that may influence their decision, and negotiate the means to mitigate negative impacts that will benefit the City, applicant, and adjacent property owners.



2. Adding language that prohibits the charging of a fee will bring the OTR zone into consistency with the other residential zones throughout the City.
3. Broadening the scope of where Temporary Uses are allowed actually gives the City greater control through Section 11-28-120 of the Zoning Ordinance, and allows for the proper delegation of residential and commercial Temporary Uses to those zones where they are intended to be.
4. Removing the prohibition of flag lots in recorded subdivisions will allow for greater in-fill opportunities and flexibility in the future, especially as it relates to the utilization of oddly shaped lots, such as narrow and deep lots, or lots with severe topography.
5. Broadening the requirement of one unrelated employee total to one unrelated employee at any one time gives Home Occupation proprietors greater flexibility with their businesses.

**Doug Anderson** seconded the motion, which was unanimously approved.

#### **NEW BUSINESS:**

##### **Kilgore Contracting to Construct the FY2017 Road Maintenance Project**

**Dave Millheim** said each year the City puts together their proposed Road Maintenance Project list and sends it out to bid. This year, the bids received ranged from \$879,000 to \$1.2 million. The lowest bid was from Kilgore Contracting. **Dave Millheim** said that per **Brett Anderson's** suggestion, the list of road maintenance projects is now listed on the City's website and a sheet of the projects is at the front desk to get the word out to the residents.

**Doug Anderson** asked what type of overlay the contractor would be using for the street improvements, as there have been problems in the past with the overlay that was put down on roads. **Dave Millheim** said he is not sure the exact overlay; however, there have been no negative comments back from Kilgore Contracting's work since the City started using them a few years ago. **Mayor Talbot** said the Road Maintenance Project list is sent out to bid each year. The last few years Kilgore has come back as the lowest bid, which has saved the City a lot of money. The City has also been very pleased with their work.

#### ***Motion:***

**Doug Anderson** made a motion that the City Council approve the contract and bid from Kilgore Contracting for the construction of road maintenance improvements in the amount of \$729,760.18 to be paid from the street maintenance fund and \$140,319.69 from the RDA funds. **Brett Anderson** seconded the motion, which was unanimously approved.

##### **Development Agreement Amendment Request – Rice Farms PUD**

**David Petersen** referenced the vicinity map as found in the staff report, as well as applicant Jerry Preston's letter requesting an amendment to the Development Agreement. He read a portion of the Development Agreement that stated the applicant was required to

construct the trail. Staff is recommending denying the applicant's request to amend the Development Agreement that requires that he build the trail.

**David Petersen** discussed each finding to the motion that thoroughly explains why staff is recommending denial of the amendment request. He explained that the Master Transportation Plan calls for a road connection through the Rice Farms property; however, due to the steep topography, it would have been difficult to construct a road. In 2006, a compromise was made that a trail would be included to allow the neighborhoods to connect. Additionally, the applicant proposed the trail and other amenities in exchange for a significant increase in density. **David Petersen** said staff feels the applicant has received numerous additional accommodations, and, per the Development Agreement, was under obligation to construct the trail.

**David Petersen** discussed the 3 different locations for the trail which includes between the Rice home and lots 704 and 705, the south side of lots 704 and 705 (adjacent to the 2 property owners), or to the north of the Rice home. **David Petersen** said the trail is consistent with other trails within the City in terms of length, use and steepness. He said this trail would be essential in creating connectivity between neighborhoods. Without a map, he said he could count approximately 19 similar trails within the City.

**David Petersen** said in the event the council chooses to amend the Development Agreement, the Ordinance may require the applicant to start the entire subdivision's PUD approval process over, which could be a long and arduous task. **David Petersen** said staff is recommending that a trail needs to be constructed, as per what was originally agreed upon in the Development Agreement signed in 2006 for Rice Farms Estates.

**Jerry Preston**, 177 N. Main St., said he appreciates the City Council and staff for their hard work. He said it was important to remember that the trail connection was not just overlooked during previous phases by himself, but was also missed by staff, the Planning Commission, the City Council, by everyone. He said when he originally purchased the property, he proposed Phases 1-5. Mr. Rice wanted to keep and maintain Phase 6, which is now Phase 7 as an additional phase that was added to the original plans. Mr. Rice is now ready to develop the additional phase.

In reference to **David Petersen's** findings and recommendations, **Jerry Preston** said he respectfully disagrees. **Jerry Preston** said he is a full supporter of trails; however, he does not feel this trail will be used. The proposed trail will connect to 200 E., which is a busy street without cross walks. He said he disagreed with the proposed trail when it was discussed in 2004 and felt he should have fought it then.

**Jerry Preston** said he has discussed the trail with many residents, and they are all against the proposed trail. He said these residents are frustrated with him as the developer and with the City.

With regards to the density, **Jerry Preston** referenced surrounding subdivisions all with similar density to Rice Farms Estates, including Continental Estates, Country Hills' subdivision, and many more. He said based on surrounding development's lots per acre, Rice Farms Estates received some of the lowest density bonuses.



**Jerry Preston** expressed frustration that the trail was previously missed by everyone for Phase 5, now Phase 6. He said it is easy to request a trail at others' expense; however, he feels the Rice family should not be required to provide anything else as they have already contributed so much. He also referenced the historic home the Rice family has already preserved in addition to the home that the Rice family is trying to help preserve in Phase 7.

**Jerry Preston** said some of the residents that would be accessing the proposed trail come from communities in Bountiful that have had multiple problems with similar trails. **Jerry Preston** said the residents that this trail would benefit do not want it. He said since this item is not a public hearing, he is acting as these residents' voice. He asked the council to accept the petition to amend the Development Agreement and not require a trail in Phase 7.

**Mayor Talbot** said he and the council members have read the emails that have been received, as well as listened to everyone's opinion. He explained that in the last few years, it is very apparent that mayors from around Utah are looking to Farmington as an example for their own trail systems. He said Farmington currently has 147 miles of trails that connects the entire city. He said each month when he meets with neighbors from surrounding cities, he is aware that Farmington has become a forerunner for its trails system.

**Brett Anderson** said that he likes the idea of a trail in this location. He said he feels there is lack of connectivity for this area. He said during his time on the Planning Commission, the commission was always fearful of lack of connectivity. He said connectivity is important for connecting neighborhoods, but also is important in the event additional access is needed by the Police, Fire Department or evacuation. **Brett Anderson** said the proposed trail gives residents an "out."

**Brett Anderson** said he also feels it is not persuasive to look at the density of other developments as each development was agreed upon under that zone. He said he does not know the circumstances that allowed other developments a higher density, but he feels this development is bound by their Development Agreement. He feels that although the trail was previously missed, he does not think it would be fair that the City waives their rights to the trail as there are 3 other locations where the proposed trail would work. **Brett Anderson** also said he feels it is important to stick to previous agreed upon agreements as it adds predictability to the process and makes decisions safer.

**Doug Anderson** said that he drove the area and admired the beautiful homes. He also drove similar areas where pocket trails that connect neighborhoods are currently found within the City. He said other trails are very nonintrusive, can be well maintained, and still add beauty to the area. He said he feels most people will not know about the trail unless they live in the area. **Doug Anderson** said he has a trail behind his home that he uses regularly. He said he has lived in his home for 12 years and has never had an issue with it. He added that he appreciates all that the Rice family has done, but that he also likes the predictability of agreements.

***Motion:***

**John Bilton** made a motion that the City Council deny the request by Jerry Preston to amend the Rice Farms Planned Unit Development (PUD) Development Agreement to remove the trail requirement connecting the PUD to 200 East and to include findings 1-8.

**Findings:**

1. Continental Estates Plat "I" was platted in May of 1999. This action provided a through street from 200 East to the Frontage Road via 620 South Street thereby increasing connectivity in the area and better disbursing traffic to lessen the impact on 200 South Street and Glover Lane, which up to that point were the only east to west roads in the area. Nevertheless, the 620 South connection was met with strong protest by adjacent neighborhoods. The Planning Commission and City Council at the time informed citizens that the Master Transportation Plan (MTP) for the area also showed plans to further disperse traffic in the area by creating additional east to west roads in the future at 450 South and the Rice property. A few years later, as the developer and the City considered the Rice connection, the portion just west of 200 East was too steep. Preliminary calculations by the developer to reduce the slope of the road proved costly and decreased his lot count. The City agreed to a trail only, thereby compromising its traffic distribution plans for the area, but at least it still provided a pedestrian connection to 200 East. Any effort to do away with a trail connection in this area is not consistent with the City's MTP and the City's Trail Master Plan, both of which are elements of the Farmington City General Plan.
2. Prior to 2006, the Rice property consisted of approximately 34.56 acres. The land was zoned LR (Large Residential), and the minimum lot size in the LR zone was, and still is, 20,000 s.f. Typically, under a conventional scenario one could expect to develop approximately 56 (or 60) lots on the property. However, in exchange for the trail connection (which the developer may have had to do anyway) and 19.7% open space [note: the open space percentage changed over time, and some open space is not very high quality], and showing a good faith effort to preserve the rock home on site, and other improvements, the City rezoned the property with a Planned Unit Development overlay (or PUD), and the developer and property owner obtained the following:
  - a. A significant increase in residential density from 56 (or 60) lots to 106;
  - b. 37 of the 106 lots are patio homes and town homes in Phases 2 and 3 of the project, the average lot size of which is 3,00 s.f. with the smallest lot as 2,222 s.f. [note: initially the developer received final plat approval for 16 lots in Phase 3, but asked and received approval from the City to amend the plat and add 9 more lots to help him get through the recession];
  - c. The average lot size of the 69 single family lots dropped to 12,018 s.f. much lower than the 20,000 required by the underlying zone, the smallest lot is 9,196 s.f. and only 4 lots exceed 20,000 s.f. one of which is the owners lot proposed at 39,806 s.f. and two of the remaining three are encumbered with wetlands;
  - d. The rear setback was reduced from 30' to 25' and the side setbacks were reduced from 10' and 12' to 8' and 11' to allow for a larger building envelope on the smaller lots.

The developers' request that the City eliminate the trail requirement with only 5 homes left to build after he has enjoyed a dramatic increase in lots and other deviations from



the standards of the underlying zone is not consistent with the PUD Master Plan, nor the DA.

3. When the developer, working with the city staff and the trails committee, realized that he neglected to provide a trail in Phase 6 – he made a good faith effort to provide a trail in this phase, but the lots were already platted and sold. However, both the developer and the City (and the trails committee) realized opportunities remained in Phase 7.
4. Exhibit B to the DA shows the trail between what is now lots 606 and 607. This option is still available to the City because the DA is still in place, and the owners of these lots are subject to the DA. Another option is located on the north side of the Glen Rice property, but Mr. Preston states in his request that regarding this location the Rice's "feel this a real hardship because they will lose a lot of mature trees if the trail goes in on the North portion of their lot to provide a fenced trail access." Nevertheless, at least two additional locations exist for the trail in Phase 7. The first location is to the north side of lots 704 and 705. This alternative provides less impact than if a street is platted at this location, and there is room. The Rice family enjoys a 90' front yard setback [the Rice single family dwelling nonconforming as to City standards because the front of the home does not face the street (200 E.), but faces due south], which is much greater than the 25' required, and a trail at this location better lines up with 830 South Street. The other location could be between Lot 704 and 705 and lots 320 and 304 of the Country Hills of Farmington No. 3 subdivision.
5. Although an ardent advocate for trails, Mr. Preston states that, he cannot support a trail, which "simply provides access from street to street." Mr. Preston may not realize that this trail is not a street to street trail, but provides neighborhood to neighborhood access. Without the very short Rice Farms trail, a pedestrian must walk to the south an additional distance of about 2,800' (or half a mile), or 4,900' to the north (or 9/10's of a mile) to catch a bus or to get to a destination east of 200 E. One must remember that the trail is in lieu of a street per the MTP (see finding 1) and is not just in place for aesthetic or exercise purposes or to help the Developer obtain a density increase. It is consistent with the active transportation goals and policies espoused in the General Plan.
6. A trail at this location is consistent with other similar trail connections in the area, which include the trail connecting Shady Creek Lane to 200 E. and the trail connection 350 E. to the Cemetery.
7. The trail is highly recommended by the Farmington City Trails Committee.
8. The PUD was adopted as a legislative act, and whether or not the trail is memorialized as part of a DA, to eliminate it now may require another legislative process. Moreover, it may be too late for such consideration because the developer already obtained his density (except for 5 lots).

**Brett Anderson** seconded the motion, which was unanimously approved.

## **SUMMARY ACTION**

### **Minute Motion Approving Summary Action List**

1. Red Barn Recovery Improvements Agreement

2. Miller Meadows Phase 6 Improvements Agreement
3. Approval of Minutes from June 21, 2016
4. Approval of Minutes from July 5, 2016

***Motion:***

**Brett Anderson** made a motion to approve the items on the Summary Action List 1, 2, and 4 and pull item 3 for separate discussion. **John Bilton** seconded the motion, which was unanimously approved.

**Brett Anderson** expressed concern with a comment he made during the Minutes from the June 21, 2016 City Council meeting. **Dave Millheim** said the minutes are an accurate discussion of what takes place in the meeting; however, there may be times when comments are unclear and require editing. He said that he will never edit fact, and he feels what **Brett Anderson** said was completely factual and in line with what was discussed. The council members agreed; no editing of the Minutes from the June 21, 2016 City Council meeting took place.

***Motion:***

**Brett Anderson** made a motion to approve the items on the Summary Action List 3. **Doug Anderson** seconded the motion, which was unanimously approved.

**GOVERNING BODY REPORTS:**

**City Manager – Dave Millheim**

1. Executive Summary for Planning Commission held on June 23, 2016
2. Executive Summary for Planning Commission held on July 7, 2016
3. Fire Monthly Activity Report for June
4. He asked for 2 council members for the July 28, 2016 meeting at 2 p.m. with Representative Wilson. **Mayor Talbot** said he would attend; **Doug Anderson** and **Brett Anderson** said they are also able to attend the meeting.
5. He explained that the recently completed gym is currently in its “soft open phase,” which means there is no cost to use the facility at this time. **Dave Millheim** proposed that after the official opening, the Mayor, the City Council Members and full-time employees and their immediate family members continue to use the gym free of charge. The Mayor and council members were in support of this action.
6. He reminded the council of the SAA Kickoff meeting on Thursday, July 21, 2016 at 7:00 p.m. with the neighborhood. Many people have contributed hundreds of hours to determine how to get 650 W. improved; they will be presenting the plan to the community at this meeting. He asked that **Brett Anderson** and **Cory Ritz** attend the meeting as they live in the surrounding area, and residents may be asking them questions regarding it.
7. He said that the Annual Volunteer Picnic in the park will be held on August 15.
8. He wanted to bring CenterCal’s increment agreement to everyone’s attention. CenterCal has an increment deal that states of the \$18.5 million paid, \$2.7 million will not be paid if they construct no less than 50 homes and no more than 200. He said it is



staff's opinion that they do not qualify. He said this would be further discussed; however, he wanted to bring it to the council's attention and CenterCal was shortly going to receive notice of the legal opinion obtained.

**Mayor Jim Talbot**

1. He thanked the council members for their involvement in the Farmington City Days.
2. He met with **Dave Millheim** and shared the council's comments during a performance review; all comments were graciously accepted.

**Council Member Doug Anderson**

1. He asked what the process is to buy a lot in the Farmington City Cemetery, and if there is preferential treatment for long-time Farmington residents. **Dave Millheim** said the rules for the cemetery changed approximately 4 years ago; a plot can now be purchased in the event of a death, but up to 2 plots may be purchased at a time. This will allow couples to be buried next to each other. **Doug Anderson** said he would pass the information on to the resident seeking the information about it.

Council Members Brett Anderson and John Bilton did not have anything to report at this time.

**ADJOURNMENT**

***Motion:***

At 9:12 p.m., **Doug Anderson** made a motion to adjourn the meeting. **John Bilton** seconded the motion, which was unanimously approved.

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**Holly Gadd**, City Recorder  
Farmington City Corporation

CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

**S U B J E C T: City Manager Report**

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



## CITY COUNCIL AGENDA

For Council Meeting:  
August 2, 2016

### **S U B J E C T: Mayor Talbot & City Council Reports**

1. Report on Meeting with Brad Wilson

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.